

ANNUAL REPORT  
OF  
THE COMPTROLLER

OF THE CITY OF NEW YORK,

OF THE

Receipts and Expenditures of the City Government,

FOR THE

YEAR 1857.



NEW YORK:  
CHAS. W. BAKER, PRINTER TO THE COMMON COUNCIL.  
1857.

ANNUAL REPORT

# THE COMPTROLLER

OF THE CITY OF NEW YORK

Presented to the Board of Aldermen  
at the City Hall, New York,  
January 1, 1887.



NEW YORK:

CHAS. W. BARNES, PRINTER, 107 NASSAU ST.

1887

---

IN COMMON COUNCIL.

MAY 6, 1858.

THE ANNUAL REPORT OF THE COMPTROLLER, of the Receipts and Expenditures of the year, ending December 31st, 1857, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE,

*Clerk of the Common Council.*

---

THE  
GOVERNMENT  
OF THE  
UNITED STATES  
OF AMERICA  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
WASHINGTON, D. C.

OFFICE OF THE  
SPECIAL AGENT IN CHARGE  
WASHINGTON, D. C.

The Agent in Charge of the Bureau of Land Management  
has the honor to acknowledge the receipt of your letter  
dated January 11, 1957, and to advise you that the same  
has been forwarded to the proper authorities for their  
consideration.

D. T. VALENTINE,  
Special Agent in Charge.

Very truly yours,  
D. T. VALENTINE,  
Special Agent in Charge.

Enclosed for the Bureau of Land Management  
is a copy of the letterhead memorandum dated  
January 11, 1957, and captioned as above.



DEPARTMENT OF FINANCE,  
COMPTROLLER'S OFFICE,  
CITY OF NEW YORK, April 30, 1858.

*To the Common Council:*

The Comptroller submits herewith statements showing—

First. The appropriations, expenditures and receipts of the Corporation for the year ending December 31, 1857.

Second. The moneys borrowed on the credit of the Corporation, the authority for each loan, and the terms upon which it was obtained.

STATEMENT No. 1, appended to this report, gives the general heads of appropriations, expenditures and receipts for the year ending December 31st, 1857, exclusive of the Sinking Funds set apart for the payment of the principal and interest of the city debt.

The total amount received into the city treasury during the year, from all sources except the Sinking Fund, is.....\$16,256,858 71

Total expenditures in cash and assessment bonds 16,583,338 69

Excess of expenditures over receipts ..... \$326,479 98

STATEMENT No. 2, shows the appropriations and expenditures on account of the city government proper for the year ending December 31, 1857.

The total expenditure under these heads amounts to the sum of.....\$4,571,633 97

The whole of this sum is paid by taxation.

The amount expended during the year 1856, for the same purpose, was..... 4,589,925 72

Being less than for 1857..... \$18,391 75



STATEMENT No. 3, shows the appropriations and expenditures on trust and special accounts for the year ending December 31, 1857.

The total amount expended on these accounts, is... \$12,011,704 72

A large portion of this sum is paid by taxation, under general or special laws, viz:

Asylum for Idiots.....	\$260 00
Building Loan Stock.....	50,000 00
Charges on Arrears of Assessments.....	1,051 50
Common Schools, for State.....	231,460 31
“ “ for City.....	1,100,410 82
Central Park, interest on debt.....	255,760 00
Deaf and Dumb Asylum.....	2,870 00
Institution for the Blind.....	1,240 00
New York Juvenile Asylum.....	27,445 65
State Mill Tax.....	511,740 50
Redemption of Revenue Bonds.....	6,399,515 00
Society for the Reformation of Juvenile Delinquents....	8,000 00
Commissioners of Record.....	275,000 00
Judgments.....	223,855 54
	<u>\$3,088,609 32</u>

Total payments made for city account, as shown in state-

ment No. 2..... 4,571,633 97

Total..... \$7,660,243 29

The above statement shows the amount of expenditures from appropriations which are raised by taxation for the year. The difference between this and the amount included in the tax levy of 1857, is produced by sums raised for various objects on which the sums expended have been less than the amount levied, as may be seen by reference to the appropriations and expenditures as given in Statement No. 1.

STATEMENT No. 4, appended, has been prepared for the purpose of showing, by comparison, the objects of expenditure which have caused the great increase of taxation.



In comparing the total amount of taxation in 1853 with 1857, it will be seen that the increase is \$2,995,916 47. By a reference to the prominent items of expenditure, it will be seen that a large portion of this increase of expenditure is upon objects over which the Common Council and the Finance Department have no effective control. This is shown by a comparison of the following items:

	Increase.
Alms-house .....	\$458,800 00
Common Schools for State.....	253,833 46
Common Schools for City.....	496,210 81
Commissioners of Record.....	350,000 00
State Mill Tax .....	408,332 27
Total.....	<u>\$1,967,176 54</u>

Although two-thirds of the increase of expenditures during the last four years has been produced by causes beyond the control of the city government, it must be conceded that the items of expenditure under its control have greatly exceeded the sum required for an economical administration of the city government. The allusion to this subject is made not as a matter of reproach in regard to the expenditures first above alluded to, but merely as a matter of justice to all the parties concerned.

It is only by a rigid system of economy in all departments of the city government, and of the state government also, that the tax payers are to find relief from the present heavy burdens.

#### THE SINKING FUNDS.

The receipts and expenditures on account of the Sinking Funds for the year ending December 31, 1857, are shown by statements annexed to this report, as follows:

STATEMENT No. 5, shows the receipts of the Commissioners of the Sinking Fund, for the payment of the city debt:



Received on account of the fund for the payment of the debt.....	\$1,699,539 40
Paid for the same fund.....	2,074,815 00
Advanced for the payment of interest.....	\$375,275 60

STATEMENT No. 6, shows the receipts and expenditures on account of the Sinking Fund for the payment of interest on the city debt:

Received on account of the Sinking Fund for the payment of interest on the city debt, during the year ending December 31, 1857.....	\$1,916,443 42
Balance in bank, January 1, 1857.....	1,071,677 97
Total.....	\$2,988,121 39
Payments made from the same fund.....	942,104 20
Balance, January 1, 1858 .....	<u>\$2,046,017 19</u>

STATEMENT No. 7, shows the total amount of city debt and the means held by the Commissioners of the Sinking Fund for its payment.

The debt amounted, January 1, 1858, to.....	\$16,489,168 00
The Commissioners held at the same time.-.....	5,858,629 04
Debt unprovided for.....	<u>\$10,630,538 96</u>

STATEMENT No. 8, shows the stocks and other securities held by the Commissioners of the Sinking Fund for the payment of the city debt, equal to \$5,858,629 04.

The various stocks held by the Commissioners of the Sinking Fund were examined by the Commissioners, January 20, 1858, and were found to correspond with the amount given in this statement, as is shown by their certificate of examination annexed to this report. See Statement No. 8.

#### REDEMPTION OF THE STOCK DEBT OF THE CITY.

On the 1st of February, 1857, \$990,000 of the seven per cent. Water Loan was paid off and cancelled.



The sum of \$3,000,000 of five per cent. Water Loan stock, issued under authority of chapter 126 of the laws of 1838, became payable, according to the terms of the certificates, "on or after the 1st of January, 1858." The Commissioners of the Sinking Fund held an accumulated fund in stocks and bonds and mortgages, applicable to the payment of this debt, of more than \$5,000,000; but as all the stocks held by them, with the exception of about \$100,000, bore interest at the rate of five per cent., the Comptroller did not consider it prudent to give notice during the money pressure in October and November that this debt would be paid in cash on the 1st of January, and that no interest would be paid after that date, as had been usual preceding the reimbursement of former loans. This stock had always been designated in the reports from the Finance Department as "Water Stock, redeemable January 1, 1858," and the holders of this stock would have been disappointed if payment had been deferred under the terms introduced into the certificate. In view of all the circumstances, the Comptroller, on the 1st of November, issued a circular to the holders of the stock, offering to exchange six per cent. stock, dollar for dollar, for the five per cent. certificates, "reimbursable on or after the 1st of January, 1858." These circulars were communicated to the holders of the debt in Europe, and the result was, that orders for making exchanges of stock exceeded the amount which the Commissioners were authorized to issue.

The six per cent. stock used in payment of the debt of 1858, was derived from the following sources:

The Sinking Fund held six per cent. bonds and mortgages on lots within the limits of the Central Park to the amount of \$287,191 25, and on the 24th of October last, the Commissioners of the Sinking Fund passed a resolution to receive six per cent. Central Park fund stock in payment of these bonds and mortgages, which were virtually cancelled by the law for the acquisition of lands for the Park.

The common lands within the limits of the Central Park were valued by the Commissioners at \$396,954 75, and this sum was awarded to the Corporation; on January 20, 1858, the Commis-



sioners of the Sinking Fund passed a resolution to receive six per cent. Central Park stock for the amount of this award, and to apply the same to the payment of the debt of 1858. The Commissioners also passed a resolution authorizing the cancelment of \$310,000 of five per cent. stock, for which the Sinking Fund had advanced cash and six per cent. revenue bonds, and took the five per cent. stock as an investment, when it could not be made available for paying awards to unknown owners, and authorized the issue of six per cent. Central Park fund stock, as provided by chapter 25 of Laws of 1857, which sum was also applied to the payment of the debt of 1858. These several sums amount to an aggregate of \$994,150.

The Sinking Fund for the payment of interest has a large surplus beyond the amount of interest annually required, and the Commissioners borrowed from this fund, to aid in paying the debt of 1858, the amount of which will be repaid to the Sinking Fund for the payment of interest, by transferring to that fund from the Sinking Fund for the payment of debt an equal amount of five per cent. stocks.

The operations before alluded to, have enabled the Commissioners to pay off and cancel, previous to the first of April, \$2,573,559 of the water stock of 1858.

#### INCREASE OF THE STOCK DEBT OF THE CITY. I

During the year 1857, the stock debt of the city has been increased two hundred and seventy-five thousand dollars, by an issue of six per cent. stock, as provided by the 3d section of chapter 630 of the Laws of 1857. This purchase adds about ten acres of land to the Central Park, and two hundred and seventy-five thousand dollars to the debt for the acquisition of land for the park. The principal of this debt is payable from the Sinking Fund in the year 1898, and the interest is to be added to the annual tax levy.

There has been issued during the same year, three hundred thousand dollars of six per cent. stock for the improvement of the Central Park, as provided by section 10 of chapter 771 of the Laws of 1857. The principal of this debt is chargeable upon the Sinking Fund, but



the interest is to be raised by an annual tax, provided the tax shall not exceed \$100,000, in any one year. At six per cent., this law authorizes the creation of a debt for the improvement of the park, equal to \$1,666,666 66.

There has been added to the permanent stock debt of the city for the purchase of land, and the construction of a new Croton reservoir, the sum of nine hundred and ninety-four thousand five hundred dollars, bearing interest at the rate of six per cent. per annum, and the principal reimbursable in the year 1875, as provided by chapter 24 of the laws of 1857. The principal and interest of this debt is payable from the Sinking Fund.

#### DEBT PAYABLE BY TAXATION.

STATEMENT No. 9 shows the amount of debt redeemable from year to year by taxation.

The total amount of this debt, January 1, 1858, was \$1,104,000.

#### CENTRAL PARK ASSESSMENT STOCK.

STATEMENT No. 10 shows the amount of stock issued for the payment of awards for land taken in the Central Park, redeemable from the assessment for the Central Park, February 5, 1859. The total amount is \$1,600,000.

#### TREASURY LOAN ACCOUNT.

STATEMENT No. 11 shows the amounts borrowed on revenue bonds during the year ending December 31, 1857; also the amounts paid during the same year:

The amount borrowed is.....	\$5,598,050 00
Amount paid.....	2,107,150 00
Amount outstanding, January 1, 1858.....	<u>\$3,490,900 00</u>

#### LOANS TO BE PAID FROM ASSESSMENTS.

STATEMENT No. 12 shows the amount borrowed on assessment bonds, to be paid from assessments on property benefitted by regulating, grading and paving streets, constructing sewers, filling sunken lots, &c.

The total amount of assessment bonds issued during the year 1857, is \$691,100. Of this sum \$513,100 bears interest at the rate of six per cent., and \$178,000 at the rate of seven per cent.

STATEMENT No. 13 shows the total operations of the treasury, in its connection with A. V. Stout, City Chamberlain, for the year ending December 31, 1857:

The total amount paid into the treasury, during the year, including the balance January 1, 1857, is....	\$17,741,061 14
Paid out .....	16,371,910 45
Balance in treasury, January 1, 1858...	1,369,150 69
The total amount paid into the Sinking Fund, during the year 1857, including the balance in the treasury January 1, 1857, is .....	4,687,660 79
Amount paid out, &c.....	3,016,919 20
Balance in Sinking Fund, January 1, 1858..	\$1,670,741 59
Add treasury balance.....	1,369,150 69
Total balance in the bank, to the credit of the Corporation, January 1, 1858.....	<u>\$3,039,892 28</u>

#### COLLECTIONS OF THE TAX LEVY IN THE YEAR 1857.

The total amount of tax levied on the city and county of New York, for the year 1857, was \$8,066,566 52.

The tax books were opened by the Receiver of Taxes, September 7, 1857. The annexed statement, No. 14, shows the amount of tax collected in each month, to the close of the year 1857. It will be seen by this statement, that the collections for each of the four months, to the close of the year, were as follows, viz:

September .....	\$914,691 03
October .....	1,282,321 22
November.....	3,390,377 67
December .....	708,060 51
Total .....	<u>\$6,295,450 43</u>

This large sum was paid to the Receiver of Taxes, in the basement room in the new Court-house, and it is interesting to look at the progress of these payments, which, as to time, are made at the option of the taxpayers, in connection with the provisions of the law of 1843, by which the present system of collecting taxes was established. This law provides for an allowance of interest, at the rate of seven per cent. per annum, from the time of payment to the 1st of December, provided the payment is made previous to the 1st of November. During the month of November each taxpayer is required to pay the exact amount of the levy without any rebate on account of interest. If, however, he does not pay the amount assessed before the 1st day of December, one per cent. is added to the amount of his tax; if he omits to pay, until the 15th of December, an additional one per cent. is added; and if he delays payment until the 1st of January following, he is charged at the rate of twelve per cent. per annum, which is ordinarily equal to four per cent. addition on the 1st of January, being for the four months after the opening of the tax books.

The practical operation of these provisions of the law of 1843, in regard to the collection of city taxes, may be seen by referring to the three days preceding the first of December, when the increase of one per cent. takes effect, viz:

November 27 .....	\$321,563 24
“ 28 .....	695,383 89
“ 30 .....	722,858 30
Total amount .....	<u>\$1,739,805 43</u>

On the first three days of December, it will be seen, the payments were as follows:

December 1 .....	\$20,793 53
“ 2 .....	11,104 97
“ 3 .....	14,483 56
Total amount .....	<u>\$46,382 06</u>

On the three days preceding the 15th of December, when the second



addition of one per cent, took effect, (equal to two per cent.,) the collections were as follows:

December 11 .....	\$41,148 45
“ 12 .....	54,504 80
“ 14 .....	145,946 17
Total amount .....	<u>\$241,599 42</u>

In the three days succeeding the 15th of December, the collections were as follows:

December 15 .....	\$13,045 98
“ 16 .....	4,219 84
“ 17 .....	5,835 41
Total amount .....	<u>\$23,101 23</u>

The total sum collected, during the last three days of December, after which the penalty rose to four per cent., is as follows, viz:

December 29 .....	\$53,711 03
“ 30 .....	55,465 50
“ 31 .....	101,417 19
Total amount .....	<u>\$210,593 72</u>

In the first three days of January, the collections were as follows:

January 2 .....	\$7,497 44
“ 4 .....	5,014 78
“ 5 .....	7,108 81
Total amount .....	<u>\$19,621 03</u>

#### REMISSION OF TAXES IN 1857.

STATEMENT No. 15 shows the taxes remitted in the year 1857, by the Board of Supervisors and the Common Council.

The total is..... \$53,059 98



### TAXES ON INCORPORATED COMPANIES.

STATEMENT No. 16 shows the amount of tax assessed upon incorporated companies, doing business in the city of New York.

Amount of personal estate.....	\$85,560,133 27
“ real estate .....	11,741,612 00
Total valuation.....	<u>\$97,301,745 27</u>

The amount of tax levied against the same companies, in 1857, is.....	<u>\$1,513,832 94</u>
---	-----------------------

### NON-RESIDENT TAX.

The legislature passed an act in February, 1855, (chap. 37,) authorizing the taxation of non-residents doing business in New York.

In accordance with this act, a tax-book is made up annually, containing the names of non-residents who are doing business in the city, and who are subject to the provisions of the act. The first tax list for non-residents was made up for the year 1855. This book contained the names of 1,296 persons, with a total valuation of \$14,491,130.

In the year 1856 the number of persons assessed was 1,894, the total valuation \$18,601,265.

In the year 1857 the number of persons assessed is 1,954, and the total valuation is \$17,227,986.

The Receiver of Taxes, Wilson Small, has furnished the following statement, which shows the sums collected from non-residents, thus far, the sums remitted, and the sums in arrear, viz:

Total amount of levy for 1855.....	\$174,767 40
Amount collected to January 1st, 1858.....	118,368 72
	<u>\$56,398 68</u>
Remaining unpaid.....	\$43,455 19
Remitted by Supervisors .....	9,943 49 56,398 68
Total amount of levy for 1856.....	257,254 70
Amount collected to January 1st, 1858.....	159,832 85
	<u>\$97,421 85</u>

Remaining unpaid.....	\$85,903	28	
Remitted by the Supervisors.....	11,518	57	97,421 85
Total amount of levy for 1857.....			268,135 48
Amount collected to January 1st, 1858.....			156,699 90
			<u>\$111,435 58</u>

STATEMENT No. 17 shows the Valuation of Real and Personal Estate for the years 1856 and 1857.

#### THE LOWBER JUDGMENT.

On the 2d of March, 1857, the Common Council passed a resolution to purchase a plot of ground at the foot of Sixteenth and Seventeenth streets, intermediate between those streets, on the East river, and to pay for the same the sum of \$196,000. This the Comptroller declined to do, for the reasons assigned in a communication to the Common Council, April 23d, 1857.

The Counsel to the Corporation approved the title, and Mr. Lowber, after making the tender of a deed, the acceptance of which was refused, commenced a suit which was referred to a referee, who reported in favor of allowing the claim of Mr. Lowber, to the amount of \$196,000, and judgment was entered for that amount in the Supreme Court.

The transcript of judgment was presented to the Comptroller, which he refused to pay, and execution was accordingly issued, and placed in the hands of the sheriff, who levied on all the personal property of the Corporation, and gave notice that the paintings in the Governor's room would be sold on a day fixed in the notice to pay the claim of Mr. Lowber.

The sale, however, was postponed at the suggestion of Mr. Lowber, and in the mean time application was made to Judge Whiting, who commenced proceedings to stay the execution, or get it set aside.

An injunction was obtained, on an affidavit of the Comptroller, as a tax-payer, on the 19th of August, 1857, and the case was argued by James R. Whiting, before Judge Roosevelt, in September, and an



order staying proceedings was made by him, September 28th, 1857, a copy of which order, and the opinion of Judge Roosevelt in the case, are annexed, (see Statement No. 18.)

The case was appealed by Mr. Lowber, to the General Term of the Supreme Court, before which Judge Whiting again argued the case, when Judge Clark delivered an opinion, substantially confirming the positions taken by Judge Roosevelt, a copy of which opinion, and the order agreed on at the General Term are annexed, (see Statement No. 19.)

In pursuance of this order Judge Whiting prepared a complaint, which was verified by A. C. Flagg, as a tax-payer, and a bond was executed by himself, Orison Blunt and John J. Serrell, in the sum of \$5,000, as required by the order. It was necessary, in order to carry on the proceedings, to obtain the consent of the Attorney-General of the State, to use the name of the people; and to indemnify the people against costs A. C. Flagg and J. J. Serrell gave a second bond for the sum of \$5,000, to protect the people of the state against costs. In addition to this the Attorney-General required a stipulation from Judge Whiting, that the taxed costs should be paid to the Attorney-General, and this stipulation he requested the Comptroller to approve, which request was complied with. Subsequent to this proceeding the counsel for Mr. Lowber moved to dissolve the injunction; the case was argued at great length, Judge Whiting contending alone for the protection of the interests of the citizens against the able advocates employed by Mr. Lowber, which resulted in favor of the tax-payers, as is shown by the opinion of Judge Davies, a copy of which is annexed, (see Statement No. 20.)

#### VACANT LOTS ON WARD'S ISLAND.

On the 31st of December, 1857, the late Common Council passed a resolution, authorizing the Mayor to appoint an arbitrator, who, in connexion with an arbitrator to be appointed by Alexander McCotter, should estimate the amount to be paid by the city for the vacant lands possessed by the said McCotter, on Ward's Island, and the

water rights connected therewith. Although the resolution passed on the last day of the year, and on the evening of the last session of the Board, the Mayor selected C. P. Schermerhorn to represent the interests of the city, in conjunction with S. Benson McGown, who had had been selected by Mr. McCotter. The arbitrators made an award on the 13th day of February, a copy of which was served on the Comptroller, on the 19th day of February, at 4 o'clock, P.M. A copy of this award is annexed, (See Statement No. 21.) It estimates a trifle over thirty-one acres of up-land, at \$2,500 per acre, equal to about \$77,500, and forty-eight acres of land under water, at \$1,000 per acre, equal to \$48,000, making a total of \$125,500.

The present Common Council took into consideration the purchase of the above lands, and the payment of so large a sum by the tax payers at the present time, and very promptly adopted a resolution rescinding the one adopted by their predecessors in the last hour of their session. The last resolution is as follows :

*Resolved*, That the resolution to purchase certain lands on Ward's Island, at a price to be decided by arbitrators, and which passed the Board of Councilmen October 19, 1857, and the Board of Aldermen December 31, 1857, and was approved by the Mayor December 31, 1857, be, and the same is hereby rescinded.

#### THE BATTERY.

In the last annual report from this department, the attention of the Common Council was directed to the condition of the Battery, and of the contract for its enlargement. The attention of the Common Council is again invited to the suggestions made in that report.

#### INVESTIGATION OF FRAUDS IN PAYMENTS ON ASSESSMENT CONTRACTS.

This report has been delayed by an examination of numerous irregularities and frauds in payments on contracts for regulating and grading streets, and other contracts, paid by assessment on the property benefited. The results of these investigations are contained in statement No. 22, which embodies most of the facts communicated from time to time by the Comptroller to the Committee on Frauds of the Board of Councilmen, or to the Mayor.



As soon as the death of Joseph S. Taylor, late Street Commissioner (which occurred on the 9th of June last,) was announced to the public, a controversy arose as to the power of filling the vacancy.

On the 13th day of June, Daniel D. Conover presented to the Comptroller a bond, which he said the Mayor refused to approve, and showed a commission duly executed by the Governor of the State, appointing him Street Commissioner. On the 16th of the same month, Charles Devlin presented to the Comptroller an appointment by the Mayor and Common Council of himself as Street Commissioner, and a bond in due form, approved by the Mayor.

The Mayor gave notice to the Finance Department that he should not recognize Mr. Conover as Street Commissioner, and that he had not approved his bond. The Comptroller determined not to recognize either of the contestants until the courts decided which of them had a legal right to the office.

Charles Turner, the Deputy of Joseph S. Taylor, was continued in the same office by Charles Devlin, and by his aid preparations were made to open bids for about eighty jobs on the 7th of July, about twenty days after Devlin got possession of the rooms in the Hall of Records. The Comptroller declined to attend at the opening of these bids, and the contracts were not made.

On the 18th of July, D. D. Conover was again in possession of the office, in the Hall of Records, and about that time the books and papers were placed in his custody by Judge Peabody. In the meantime numerous contracts made by the Street Department were in progress, and as these were finished, and the assessment rolls confirmed by the Common Council, the Comptroller was urged to pay the contractors, or their assigns, according to the stipulations in the several contracts; and on jobs exceeding in amount \$10,000, the certificates of the surveyors on the work, backed by one from Mr. Turner, were produced as the best evidence within the reach of the contractors, and the parties interested claimed the payment monthly of the 70 per cent. on the work, as provided by the ordinance of December 30, 1854.



The Comptroller therefore adopted measures to have the assessment rolls, after they were confirmed by the Common Council, transmitted to the Assessors, and entered on their record, as provided by the 21st section of the act "in relation to assessments in the city of New York, and to amend the several acts in relation thereto," passed April 16, 1857 ; and then to have them placed in the hands of the Clerk of Arrears, to be entered on his books, as required by the 6th section of the act of 1853, for organizing the Bureau of Arrears. This being done, a transcript of the summary of each assessment roll, showing the sum to be raised for the contractor, surveyor, assessors, collectors, &c., was entered on the ledger kept by J. B. Smith in the Finance Department, as the basis of settlement with the parties named.

In regard to monthly advances on work in progress; the Comptroller directed that these should be limited to the sums found to be due on remeasurement by D. Ewen or J. J. Serrell. This rule, had its operation not been frustrated by the infidelity of J. B. Smith, the bookkeeper, would have retained the thirty per cent. contemplated by the contract.

In cases of contracts confirmed by the Common Council, the ordinances, as well as the contracts themselves, provide that payment shall be made in full on the confirmation of the assessment roll ; and in regard to contracts under \$10,000, no payments are required to be made to the contractor until the work is finished, and the assessment roll is confirmed by the Common Council. When, therefore, the contractor produces a certificate from the head of the department that the contract is completed to his satisfaction, and that the assessment roll has been confirmed, the Comptroller, by the terms of the contract and the ordinance of 1854, is bound to pay.

After the death of Joseph S. Taylor, on the 9th of June, and the litigation incident to that event, a literal compliance with the ordinance in regard to a certificate from the head of the Street Department was impracticable, and the Comptroller paid the persons recognized as entitled to compensation, on the evidence furnished by the assessment rolls, confirmed by the Common Council, and transcripts from the original rolls, authenticated by the Clerk of the Common Council.

In relation to the ledger entry of one of the confirmed contracts, a fraud of \$10,000 was perpetrated by placing a figure 1 before \$2,823 10, thus giving to the assignee \$12,823 10, instead of \$2,823 10, the sum due. When this fraud was discovered, a thorough investigation was instituted to ascertain whether other confirmed assessment rolls had been tampered with in a similar manner. This examination embraced the ledger transcripts of confirmed assessment rolls for the years 1855, 1856 and 1857.

In the three years the number of jobs confirmed was 568, covering total assessments to the amount of \$1,829,907 91, and in all these cases, except the one before referred to, the transcripts on the ledger, were found to correspond with the record of the original assessment rolls in the office of the assessors. In regard to many other contracts, there have been frauds in the measurements, and computation of quantities, and frauds by the introduction of wall, culverts and other work not embraced in the original contract, at enormous prices; and advances have been made on these fraudulent computations, and illegitimate contracts, and covered up by false entries in the books kept by J. B. Smith, in the Finance Department. Payments have also been made apparently on jobs with which the recipient of the money was connected, and falsely charged by J. B. Smith, on the books kept by him to jobs on which payment had been previously made in full, or to those with which the recipient had no connexion; most of these cases are enumerated in Statement No. 22.

The excepted cases are now given, and two of them have been under consideration before the recorder, and are as follows, viz:

On the 11th day of November 1857, a warrant upon the Chamberlain was drawn in the hand writing of J. B. Smith, purporting to be for amount collected for construction of sewers on Forty-fourth street, for the sum of \$5,790 91, in favor of John Fitzpatrick. It purports to be indorsed by Fitzpatrick, and certified underneath the indorsement of Fitzpatrick's name, "Correct, Charles Devlin," in his hand-writing. This warrant was deposited by Devlin, to his credit, in the Broadway Bank, on the 14th day of November, and was paid by the Chamberlain.



An inspection of the books and documents in the Comptroller's and Street Commissioner's Office, shows that the original contracts for sewers on Forty-fourth street were entered into with other persons, who performed the work and were paid as early as 1856. Neither Fitzpatrick nor Devlin had anything to do with the construction of those sewers.

The son of Devlin testified, before recorder Barnard, on the 4th day of March last, that the indorsement of Fitzpatrick's name upon that warrant was in the hand-writing of his father. On the 30th day of October 1857, an assessment was confirmed by the Common Council for paving Forty-ninth street, from the Sixth to the Eighth avenue, and laying a cross-walk on the westerly side of the Sixth avenue, for which work C. Sharp was contractor, but who had assigned his contract to John Fitzpatrick. The total amount of said contract was \$2,823 10. Said assessment, and the amount thereof, was entered in the ledger of Assessment Contracts, in the Comptroller's office. Subsequently the amount was fraudulently altered, by placing before the figures \$2,823 10, the figure 1, so as to make the total amount, \$12,823 10, instead of \$2,823 10.

Afterward, on the 23d or 24th day of November, 1857, J. B. Smith presented a statement to the Comptroller, showing the amount due on the said contract to be \$12,823 10, as aforesaid; and there were thereupon issued to John Fitzpatrick therefor, three assessment bonds, two for \$5,000 each and one for \$2,800, and a check given to him for the balance, of \$23 10. One of said bonds for \$5,000, was assigned by said Fitzpatrick to Charles Devlin, and was afterward assigned by said Devlin, under his own hand, to Hawley & Bradford, and was by them again assigned to one Jacob A. Robertson, who, on the 3d day of December, 1857, presented said bond at the Comptrollers' Office, when it was cancelled, and another issued to the said Robertson in its place.

The check for \$23 10, was indorsed by said Fitzpatrick, and deposited by said Devlin, to his own credit in the Broadway Bank, and was paid by the Chamberlain.

On the 5th of October 1857, a warrant upon the Chamberlain was drawn, in the handwriting of J. B. Smith, purporting to be for an award in opening and extending the Bowery, for the sum of \$1,325 62, in favor of Edwd. H. Cambrelling, attorney. It has on the back the name of Edwd. H. Cambrelling, attorney, and passed through the Bowery Bank, the endorsement bears strong marks of being a forgery, and, as no award is found, the whole transaction is believed to be fraudulent.

There is also a fraudulent payment of \$2,000, in settling the awards for land taken in the Central Park, the particulars of which are given under the head of Central Park, in another part of this report.

There is also a fraudulent payment of \$863 05, in settling the award in the New Reservoir, the particulars of which are given under the Head of New Reservoir, in another part of this report.

#### CENTRAL PARK.

From a thorough examination and computation of the awards in Central Park, the following results are given, viz:

Total amount of awards.....	\$5,069,693 70
Total amount of taxed costs and expenses before the confirmation.....	57,943 60
Total.....	<u>\$5,127,637 30</u>

This is \$41,832 60 less than the sum reported to the Common Council immediately after the confirmation of the report of the Commissioners.

The payments on account of awards to January 1st, 1858, amount to the sum of.....	\$4,712,078 89
And for costs and expenses.....	57,943 60
Total.....	<u>\$4,770,022 49</u>

The balance of awards unpaid on the 1st Jan. 1858, is \$361,453 70 as shown in Statement No. 23.



Payments have been made in cash and Central Park stock, as follows, viz:

6 per cent. stock, payable in 1859.....	\$1,085,400 00
6 per cent. stock, payable in 1887.....	1,092,300 00
5 per cent. stock, payable in 1898 .....	385,700 00
Cash.....	2,148,678 89
Total.....	<u>\$4,712,078 89</u>

The ordinance passed February 29, 1856, for the payment of the awards for land taken in the Central Park is as follows, viz:

SEC. 7. "The said Comptroller shall receive the money payable for or upon said loan and shall pay the same into the city treasury, and keep a separate account thereof.

SEC. 8. The said money so to be received shall be applied by the said Comptroller in payment of the awards for the lands aforesaid."

Previous to the date of this ordinance all payments from the appropriation of "Street Opening," on account of the opening of streets or parks were made by the Street Commissioner, where the receipts for all such payments were taken and kept. As the ordinance in relation to the Central Park, prescribed that payments should be made by the Finance Department, the Comptroller applied to the Clerk of the Supreme Court for a certified copy of the awards for the Central Park, as confirmed by that court. This statement was furnished to the Comptroller, which is the first authentic record of awards furnished to the Finance Department, as a basis for payments on the millions of dollars appropriated and paid for "Streets Opening."

The settlements with the various persons having awards was confided to A. S. Cady, under the direction of the Comptroller; a separate set of books, as required by the ordinance were opened, and the filling up of the checks according to the memoranda of settlements made by Mr. Cady was attended to by J. B. Smith. In consequence of the frauds and irregularities found to exist in the settlements for assessment contracts with which this person was intrusted,



a thorough scrutiny has been made in regard to all the operations connected with the payment of awards on the Central Park. The total number of awards is 1853, of which number 418 were awards made to unknown owners, for which the money was paid into Court, leaving 1,435 awards to be settled in the Comptroller's Office.

To test the correspondence between the principal of the awards settled and the checks drawn, a ledger account was opened with each person having an award, crediting him with the amount of the award, and charging him with the payments made in cash and stock, and with mortgages held by the Corporation. This test showed that all the settlements made by A. S. Cady, and for which he furnished memoranda of the amounts, were correctly paid, with the exception of an over-payment of \$30, which was made by erroneously transcribing an award. This was paid to a citizen of undoubted responsibility, and the amount will be replaced by him.

The opportunity enjoyed by J. B. Smith, in drawing the checks, was made use of by him to commit a fraud to the amount of \$2,142 66; this was done March 12, 1857, by making a check payable to John Gardiner, executor of the estate of Nancy Gardiner, for that sum, and charging the same to the Central Park Fund, when no such name was furnished to him by Mr. Cady, and no award of that description is found among the awards in the Central Park.

This check was endorsed John Gardiner, executor, and passed through the Bowery Bank. The charge on the journal referred to page 217 of the ledger, and appeared to have been posted; but on referring to the ledger, no such account is found on that page or any other.

The payments on account of interest have not yet been fully tested.

#### NEW RESERVOIR.

There has been a thorough examination of awards for land taken for the New Reservoir, to which the same test has been applied as to the awards for land taken in the Central Park. The result of this examination shows the awards to amount to the sum of \$729,964 50.

The amount of the awards given to the Finance Department, from the office of the Commissioners, was \$708,000, as given in the Comptroller's annual report for the year 1855. It is thus seen that an accurate statement of the awards, made up from a certified copy furnished to the Finance Department, by the clerk of the Supreme Court, is \$21,964 50 more than the amount as understood at the time of the confirmation of the report of the Commissioners.

The amount paid to the 1st of January, 1858, towards the principal of awards is.

Thomas Parsons.....	\$497,656 39
Maria A. Moore .....	863 05
	400 00
	<u>\$498,919 44</u>

The balance unpaid is \$232,308 11, of which \$193,980 is awarded to the Corporation.

The amount paid for interest is \$22,537 01. The awards were settled by A. S. Cady, under the direction of the Comptroller, and on his settlement checks were drawn for the payment, by J. B. Smith. It is found by the examination which has been made, that in drawing the checks for the payment of the awards a fraudulent payment was made from this fund.

On the 13th of October, 1857, a warrant was drawn on the Chamberlain for \$863 05, to the order of Thomas Parsons, and on the back of the warrant the name Thomas Parsons appears; no such award is found in his name. This warrant passed through the Bowery Bank, and is evidently fraudulent in every particular.

There appears to be an over-payment of \$400 to Maria A. Moore, who had an award of \$2,140.

On the 10th of September, 1856, five per cent. stock was issued to John McKechnie, as assignee of part of this award, for \$1,300.

On the 13th of October, 1856, another amount of five per cent. stock for \$400 was issued to Maria A. Moore, and on the 5th of March, 1857, a payment was made of \$840; this payment, in cash. was equal



to the balance of the award, after the first issue of \$1,300; and the second issue of \$400 seems to have been overlooked by Mr. Cady in settling the award.

#### BELGIAN PAVEMENT.

During the year 1857, 50,788 cubic yards of this pavement have been laid in the streets of New York, as follows, viz:

	Cubic Yds.
Canal street.....	19,751
Bowery and Chatham street.....	27,966
Thirty-second street.....	3,071
Total.....	<u>50,788</u>

#### PIERS AND SLIPS.

The amount of revenue collected in the year 1857, on account of rent of piers and slips, by the Collector of City Revenue, is \$159,799 37.

STATEMENT No. 24 shows in detail the allowances made for dredging slips, repairing the piers, for damages on account of delays in rebuilding piers, filling in to connect them with the streets, incumbrances, &c. The total amount of these allowances during the year, ending December 31st, 1857, is \$20,918 45.

#### FERRY RENT.

STATEMENT No. 25 shows the different ferries in operation, with the lessees in each case, the annual rent paid, and the expiration of the leases.

STATEMENTS No. 26 to 54, show the receipts of the Commissioners of the Sinking Fund, for the payment of principal and interest on the City Debt.

All of which is respectfully submitted.

A. C. FLAGG, *Comptroller.*



STATEMENT No. 1.

*Appropriations, Expenditures and Receipts of the City Government, including Trust Accounts, from January 1, to December 31, 1857.*

HEADS OF ACCOUNTS	APPROPRIATIONS	EXPENDITURES.	RECEIPTS.
Alms-House.....	\$843,800 00	\$718,800 00	.....
Aqueduct Repairs and Improvements .....	45,000 00	44,620 72	\$50 00
Board of Health.....	10,000 00	10,741 81	573 75
Belgian Pavement.....	50,000 00	10,093 07	.....
Construction of Twenty first Ward Station House.....	10,000 00	.....	.....
Contingencies, Common Council .....	15,000 00	17,383 85	100 00
Contingencies, Mayor's Office.....	3,000 00	2,970 20	.....
City Contingencies.....	80,000 00	80,788 70	.....
County Contingencies.....	40,000 00	39,096 33	2 00
City Inspector's Department.....	8,950 00	8,950 60	25 00
Coroners' Fees.....	20,000 00	14,326 86	.....
Common Council, Pay of Members.....	31,488 00	10,496 00	.....
Cleaning Streets under contract, and pay of Inspectors.....	250,000 00	252,784 02	6,049 97
Docks and Piers, building and repairing and cleaning and repair- ing slips.....	175,000 00	135,393 86	.....
Diamond Reef, blasting and removing, (re-appropriated) .....	20,600 00	.....	.....
Donations.....	15,000 00	14,217 00	.....
Election Expenses.....	20,000 00	40,210 90	.....
Election expenses, fitting up polls.....	500 00	500 00	.....
Errors and Delinquencies .....	5,000 00	3,836 88	.....
Fire Department, for Chief Engineer .....	72,732 00	72,788 67	.....
Fire Department, Steam Fire Engines.....	19,500 00	.....	.....
Interest on Revenue Bonds.....	295,000 00	299,292 76	962 84
Interest on Assessment Bonds.....	75,000 00	56,542 40	.....
Intestate Estates .....	3,000 00	4,800 31	9,348 31
Iron Pavement.....	125,000 00	.....	.....
Lamps and Gas .....	421,490 00	378,332 08	.....
Lamps and Gas, Harlem District.....	35,000 00	9,736 14	.....
Lands and Places.....	25,000 00	23,502 70	.....
Lands and Places, Fourth Avenue Parks .....	30,000 00	.....	.....
Lands and Places, iron railing around Tompkins square.....	25,000 00	.....	.....
Monument to Major-general Worth, (re-appropriated) .....	23,500 00	10,000 00	.....
Markets .....	7,000 00	7,222 87	.....
Mayoralty Fees.....	150 00	.....	.....
Officers' Fees .....	40,000 00	40,009 47	4 00
Paving Bowery and Chatham street, (re-appropriated).....	{ 100,000 00 } 41,854 00	77,128 62	.....
Police and Fire Telegraph.....	15,680 00	14,377 17	.....
Police .....	825,500 00	825,500 00	.....
Printing.....	85,000 00	85,000 00	.....
Parapet Wall, 50th street and Lexington avenue and Fourth avenue.....	6,000 00	.....	.....
Rents.....	30,000 00	29,673 88	.....
Real Estate .....	35,000 00	31,325 00	.....
Real Estate Expenses.....	100,000 00	21,634 18	.....
Roads and Avenues .....	75,000 00	61,391 78	.....
Roads and Avenues, grading Eighth avenue.....	40,000 00	.....	.....
Repairs and Supplies .....	11,544 00	12,516 60	.....
Repairs to Public Buildings, including new buildings, and Build- ings for Fire Department.....	46,500 00	61,518 95	.....
Reconstruction Fifteenth Ward Station House.....	12,000 00	.....	.....
Removing Public Buildings, in opening streets.....	5,000 00	196 50	.....
Stationery.....	20,000 00	20,134 02	.....
Supplies to Public Offices.....	15,000 00	14,707 37	.....
Sewers, Repairing and Cleaning.....	24,000 00	19,827 94	.....
Salaries .....	412,500 00	396,425 63	.....
Sunken Vessels, Removing.....	2,000 00	979 00	.....
Street Expenses and Paving, including arrearages of 1856.....	100,000 00	99,994 63	856 66
Tenth Avenue, working as a country road, (re-appropriated)....	18,000 00	17,353 83	.....
Wells and Pumps, and Repairing'.....	1,000 00	1,000 00	.....
Water Pipes and Laying .....	91,300 00	91,293 27	789 40
Carried forward.....		\$4,189,416 57	\$18,761 93

HEADS OF ACCOUNTS.	APPROPRIATIONS	EXPENDITURES.	RECEIPTS.
Brought forward.....		\$4,189,416 37	\$18,761 93
Ward Maps and Surveying for Tax Commissioners .....	\$5,000 00	\$4,429 17	.....
Arrearages of 1856.....	438,370 47	377,788 23	.....
Asylum for Idiots .....	240 00	260 00	.....
Building Loan Stock No. 3.....	50,000 00	50,000 00	.....
Charges on Arrears of Taxes .....	5,000 00	.....	\$40 00
Charges on Arrears of Assessments for Bureau of Arrears.....	5,000 00	1,051 50	.....
Common Schools, for State $\frac{3}{4}$ mill.....	383,805 37	231,460 31	60,544 49
Common Schools for City.....	1,100,410 82	1,100,410 82	.....
Croton Aqueduct Department, for Sewers, under the direction of the Croton Aqueduct Board.....	500,000 00	101,789 29	62,707 24
Croton Aqueduct, for raising mains in Fifth avenue.....	48,100 00	.....	.....
Croton Aqueduct, for New Reservoir.....	200,000 00	5,470 25	1,926 63
Central Park, interest on debt.....	255,760 00	255,760 00	.....
County Clerk's Office .....	15,550 00	18,844 87	14,357 73
Court of Common Pleas .....	7,000 00	2,350 18	5,301 31
City Inspector's liens on lots.....	5,000 00	1,895 68	1,936 25
Deaf and Dumb Asylum.....	2,700 00	2,870 00	.....
Fencing vacant lots .....	2,000 00	1,358 87	2,104 63
Institution for the Blind.....	2,240 00	1,240 00	.....
Interest on Assessments .....	20,000 00	.....	73,629 63
New York Juvenile Asylum.....	40,000 00	27,445 65	.....
Redemption of Public Education Stock.....	12,357 36	.....	.....
Refunded on Assessment Sales .....	25,000 00	1,490 30	8,543 10
Refunded on Tax Sales.....	5,000 00	.....	842 62
Repairs to Sidewalks, ordinance of 1853.....	20,000 00	.....	.....
Surrogate's Office .....	12,570 00	15,547 53	12,963 78
Superior Court.....	6,600 00	6,600 00	6,101 04
Streets Opening.....	800,000 00	69,904 40	136,816 73
Streets, Paving.....	600,000 00	144,245 66	113,988 89
State Mill Tax, 1 mill.....	511,740 00	511,740 50	.....
Revenue Bonds .....	6,542,000 00	6,399,515 00	5,598,050 00
Assessment Bonds.....	375,000 00	122,000 00	356,700 00
Wells and Pumps .....	2,000 00	423 24	96 27
Society for Reformation of Juvenile Delinquents.....	8,000 00	8,000 00	.....
New Reservoir, (awards).....	.....	485,560 18	.....
Central Park (improvement).....	.....	300,000 00	.....
Commissioners of Record.....	.....	275,000 00	.....
Arsenal Property.....	.....	275,000 00	.....
Central Park, (awards).....	.....	1,049,169 29	342,726 97
Judgments .....	.....	223,855 54	2,570 10
Croton Water Works Extension.....	.....	18,645 66	189 00
Interest on Hudson River Railroad Bonds.....	.....	.....	175 00
Interest on Stocks sold.....	.....	.....	1,220 94
Sewer Connections .....	.....	.....	21,425 50
Arrears of Assessments.....	.....	.....	160,986 80
Collecting Fees, State Mill Tax.....	.....	.....	441 30
Dividends on Stocks.....	.....	.....	70 00
Central Park Stock, 6 per cent. 1887 .....	.....	.....	832,970 95
Water Stock, New Reservoir .....	.....	.....	988,300 00
Central Park Improvement Fund Stock.....	.....	.....	300,000 00
Central Park, 6 per cent., New Arsenal .....	.....	.....	197,500 00
Tax of 1857 .....	.....	.....	6,285,482 53
Tax of 1856, and previous years.....	.....	.....	572,570 56
Interest on Taxes.....	.....	.....	74,809 89
Commutation of Taxes.....	.....	.....	1 90
Totals paid by warrants on Treasury.....	.....	\$16,280,538 69	\$16,256,858 71
In addition to the above expenditures there was paid by Assess- ment Bonds—			
On account of Streets Paving.....	.....	215,400 00	.....
On account of Sewers.....	.....	86,300 00	.....
On account of Fencing Lots.....	.....	1,100 00	.....
TOTAL.....	.....	\$16,583,338 69	.....



## STATEMENT No. 2.

*Appropriations and Expenditures for City Government, from January 1, to  
December 31, 1857.*

HEADS OF ACCOUNTS.	APPROPRIATIONS.	EXPENDITURES.
Alms-house.....	\$343,800 00	\$718,800 00
Aqueduct Repairs and Improvements.....	45,000 00	44,620 72
Board of Health.....	10,000 00	10,741 81
Belgian Pavement.....	50,000 00	10,093 07
Construction of Twenty-first Ward Station-house.....	10,000 00	.....
Contingencies, Common Council.....	15,000 00	17,383 85
Contingencies, Mayor's Office.....	3,000 00	2,970 20
City Contingencies.....	80,000 00	80,788 70
County Contingencies.....	40,000 00	39,096 33
City Inspector's Department.....	8,950 00	8,950 60
Coroners' Fees.....	20,000 00	14,326 86
Common Council, Pay of Members.....	31,488 00	10,496 00
Cleaning Streets under Contract, and Pay of Inspectors.....	250,000 00	252,784 02
Docks & Piers, building & repairing, & cleaning & repairing Slips.....	175,000 00	135,393 86
Diamond Reef, blasting and removing, (re-appropriated).....	20,600 00	.....
Donations.....	15,000 00	14,217 00
Election Expenses.....	20,000 00	40,210 90
Election Expenses, fitting up polls.....	500 00	500 00
Errors and Delinquencies.....	5,000 00	3,836 88
Fire Department, for Chief Engineer.....	72,732 00	72,788 67
Fire Department, Steam Fire Engines.....	19,500 00	.....
Interest on Revenue Bonds.....	295,000 00	299,292 76
Interest on Assessment Bonds.....	75,000 00	56,542 40
Intestate Estates.....	3,000 00	4,800 31
Iron Pavements.....	125,000 00	.....
Lamps and Gas.....	421,490 00	378,332 08
Lamps and Gas, Harlem District.....	35,000 00	9,736 14
Lands and Places.....	25,000 00	23,502 70
Lands and Places, Fourth avenue Parks.....	30,000 00	.....
Lands and Places, iron railing around Tompkins Square.....	25,000 00	.....
Monument to Major-General Worth, (re-appropriated).....	23,500 00	10,000 00
Markets.....	7,000 00	7,222 87
Mayoralty Fees.....	150 00	.....
Officers' Fees.....	40,000 00	40,009 47
Paving Bowery and Chatham street.....	100,000 00	} 77,128 ■
Paving Bowery and Chatham street, (re-appropriated).....	41,854 93	
Police and Fire Telegraph.....	15,680 00	14,377 17
Police.....	825,500 00	825,500 00
Printing.....	85,000 00	85,000 00
Parapet Wall, Fiftieth street, between Lexington and Fourth avs.....	6,000 00	.....
Rents.....	30,000 00	29,673 88
Real Estate.....	35,000 00	31,325 00
Real Estate Expenses.....	100,000 00	21,634 18
Roads and Avenues.....	75,000 00	61,391 78
Roads and Avenues, grading Eighth avenue.....	40,000 00	.....
Repairs and Supplies.....	11,544 00	12,516 60
Repairs to Public Buildings, including new buildings, and build- ings for Fire Department.....	63,000 00	61,518 95
Re-construction Fifteenth Ward Station-house.....	12,000 00	.....
Removing Public Buildings in opening streets.....	5,000 00	196 50
Stationery.....	20,000 00	20,134 02
Supplies to Public Offices.....	15,000 00	14,707 37
Sewers, Repairing and Cleaning.....	24,000 00	19,827 94
Salaries.....	412,500 00	396,425 63
Sunken Vessels, removing.....	2,000 00	979 00
Street Expenses and Paving, including Arrearages of 1856.....	100,000 00	99,994 63
Tenth avenue, working as a country road, (re-appropriated).....	18,000 00	17,353 83
Wells and Pumps, and repairing.....	1,000 00	1,000 00
Water Pipes and Laying.....	91,300 00	91,293 27
Ward Maps and Surveying for Tax Commissioners.....	5,000 00	4,429 17
Arrearages for 1856.....	438,370 47	377,788 23
TOTALS.....	.....	\$4,571,633 97



## STATEMENT No. 3.

*Appropriations and Expenditures on Trust and Special Accounts, from January 1, to December 31, 1857.*

HEADS OF ACCOUNTS.	APPROPRIATIONS.	EXPENDITURES.
Asylum for Idiots .....	\$240 00	\$260 00
Building Loan Stock, No. 1.....	50,000 00	50,000 00
Charges on Arrears of Taxes for Bureau of Arrears .....	5,000 00	.....
Charges on Arrears of Assessments for Bureau of Arrears.....	5,000 00	1,051 50
Common Schools, for State $\frac{1}{2}$ Mill.....	383,805 37	231,460 31
Common Schools, for City.....	1,100,410 82	1,100,410 82
Croton Aqueduct Department, for Sewers under the direction of the Croton Aqueduct Board.....	500,000 00	101,789 29
Croton Aqueduct, for raising mains in Fifth avenue.....	48,100 00	.....
Croton Aqueduct, for New Reservoir,* .....	300,000 00	5,470 25
Central Park, Interest on Debt.....	255,760 00	255,760 00
County Clerk's Office.....	15,550 00	18,844 87
Court of Common Pleas.....	7,000 00	2,350 18
City Inspector's Liens on Lots .....	5,000 00	1,895 68
Deaf and Dumb Asylum.....	2,700 00	2,870 00
Fencing Vacant Lots.....	2,000 00	1,358 87
Institution for the Blind .....	2,240 00	1,240 00
Interest on Assessments .....	20,000 00	.....
New York Juvenile Asylum.....	40,000 00	27,445 65
For Redemption of Public Education Stock .....	12,357 36	.....
Refunded on Assessment Sales.....	25,000 00	1,490 30
Refunded on Tax Sales.....	5,000 00	.....
Repairs to Sidewalks, ordinance of 1853.....	20,000 00	.....
Surrogate's Office .....	12,570 00	15,547 53
Superior Court.....	6,600 00	6,600 00
Streets, Opening.....	800,000 00	69,904 40
Streets, Paving.....	600,000 00	144,245 66
State Mill Tax, 1 Mill.....	511,740 50	511,740 50
Redemption of Revenue Bonds .....	6,542,000 00	6,399,515 00
Redemption of Assessment Bonds.....	375,000 00	122,000 00
Wells and Pumps.....	2,000 00	423 24
Society for Reformation of Juvenile Delinquents.....	8,000 00	8,000 00
New Reservoir, (awards) .....	485,560 18	485,560 18
Central Park Improvement.....	300,000 00	300,000 00
Commissioners of Record .....	275,000 00	275,000 00
Arsenal Property.....	275,000 00	275,000 00
Central Park, (awards).....	1,049,169 29	1,049,169 29
Judgments.....	.....	223,855 54
Croton Water Works Extension, (* same appropriation).....	.....	18,645 66
.....	.....	\$11,708,904 72
Streets Paving, from Assessment Bonds.....	.....	215,400 00
Sewers, from Assessment Bonds .....	.....	86,300 00
Fencing Vacant Lots, from Assessment Bonds.....	.....	1,100 00
TOTAL.....	.....	\$12,011,704 72

STATEMENT No. 4.

Showing the Amount of Taxes and the objects for which they were levied, in the City and County of New York,  
for Eight years, from 1850 to 1857.

HEADS OF ACCOUNTS.	1850.	1851.	1852.	1853.	1854.	1855.	1856.	1857.
Alms-House.....	\$400,000 00	\$380,000 00	\$390,000 00	\$385,000 00	\$427,000 00	\$613,450 00	\$925,000 00	\$843,800 00
Aqueduct Repairs .....	20,000 00	15,000 00	30,000 00	18,000 00	22,000 00	20,000 00	35,000 00	45,000 00
Do Construction .....	8,000 00	.....	.....	.....	.....	.....	.....	.....
Battery Enlargement .....	.....	.....	20,000 00	25,000 00	25,000 00	25,000 00	.....	.....
Board of Health.....	10,000 00	10,000 00	10,000 00	10,000 00	10,000 00	10,000 00	40,000 00	10,000 00
City Inspectors' Department.....	.....	15,000 00	50,000 00	82,275 00	75,500 00	30,000 00	8,315 00	8,950 00
Coroners' Fees.....	10,000 00	12,000 00	12,000 00	12,000 00	16,000 00	18,000 00	18,000 00	20,000 00
Cleaning Docks and Slips .....	8,000 00	10,000 00	10,000 00	12,500 00	6,000 00	6,000 00	6,000 00	.....
Docks and Slips—new work.....	80,000 00	.....	.....	200,000 00	166,000 00	*15,000 00	100,000 00	175,000 00
Do —repairs.....	45,000 00	.....	.....	50,000 00	50,000 00	20,000 00	20,000 00	.....
County Contingencies.....	100,000 00	120,000 00	120,000 00	120,000 00	120,000 00	120,000 00	70,000 00	40,000 00
City Contingencies.....	.....	.....	.....	.....	.....	.....	.....	80,000 00
Common Council, pay of members.....	.....	.....	.....	.....	31,388 00	38,000 00	36,000 00	10,496 00
Contingent Expenses of Common Council .....	10,000 00	20,000 00	25,000 00	20,000 00	10,000 00	.....	7,500 00	15,000 00
Donations.....	15,000 00	15,000 00	15,000 00	15,000 00	5,000 00	46,000 00	10,000 00	15,000 00
Election Expenses.....	8,000 00	8,000 00	12,000 00	30,000 00	28,000 00	18,000 00	20,000 00	20,500 00
Errors and Delinquencies.....	3,000 00	3,000 00	3,000 00	3,000 00	5,000 00	5,000 00	5,000 00	5,000 00
Fire Department .....	40,000 00	50,000 00	70,000 00	50,000 00	55,000 00	75,000 00	81,000 00	72,732 00
Do do Steam Fire Engines.....	.....	.....	.....	.....	.....	.....	.....	19,500 00
Interest on Revenue Bonds.....	90,000 00	90,000 00	75,000 00	75,000 00	130,000 00	194,000 00	220,000 00	295,000 00
Do Assessment Bonds.....	.....	.....	.....	.....	.....	30,000 00	60,000 00	75,000 00
Intestate Estates .....	3,000 00	3,000 00	3,000 00	3,000 00	3,000 00	3,000 00	3,000 00	3,000 00
Lands and Places.....	5,000 00	7,500 00	15,000 00	15,000 00	15,000 00	15,000 00	16,500 00	80,000 00
Lands purchased for Assessments.....	25,000 00	.....	30,000 00	30,000 00	.....	.....	.....	.....
Markets .....	5,000 00	5,000 00	7,000 00	8,000 00	8,000 00	12,000 00	7,000 00	7,000 00
Mayoralty Fees.....	125 00	150 00	150 00	150 00	150 00	150 00	150 00	150 00
Officers' Fees .....	30,000 00	30,000 00	35,000 00	35,000 00	35,000 00	40,000 00	20,000 00	40,000 00
Police and Fire Telegraph.....	.....	.....	.....	.....	.....	5,000 00	5,000 00	15,600 80
Printing .....	26,000 00	35,000 00	45,000 00	50,000 00	75,000 00	85,000 00	85,000 00	85,000 00
Repairs and Supplies .....	50,000 00	60,000 00	60,000 00	195,000 00	185,000 00	144,000 00	182,000 00	89,544 00
Rents.....	2,000 00	2,000 00	3,000 00	3,500 00	3,500 00	20,000 00	20,000 00	30,000 00
Real Estate .....	15,000 00	30,000 00	30,000 00	50,000 00	25,000 00	25,000 00	25,000 00	35,000 00
Do Expenses.....	10,000 00	50,000 00	50,000 00	50,000 00	30,000 00	50,000 00	50,000 00	100,000 00
Roads and Avenues.....	30,000 00	30,000 00	40,000 00	30,000 00	50,000 00	50,000 00	50,000 00	75,000 00
Do Eighth avenue.....	.....	15,000 00	7,500 00	10,000 00	15,000 00	.....	.....	40,000 00
Stationery .....	9,000 00	16,000 00	20,000 00	25,000 00	20,000 00	20,000 00	18,000 00	20,000 00
Sunken Vessels—removing.....	.....	.....	2,000 00	2,000 00	2,000 00	2,000 00	2,000 00	2,000 00
Sewers—repairing and cleaning.....	10,000 00	.....	12,000 00	16,500 00	15,000 00	17,000 00	24,000 00	24,000 00



Salaries.....	200,000 00	220,000 00	225,000 00	235,000 00	260,000 00	332,000 00	369,200 00	412,500 00
Statistical Tables, Croton Aqueduct Department.....	.....	.....	.....	1,500 00	1,500 00	1,500 00	1,500 00	.....
Water Pipes and Laying.....	140,000 00	.....	.....	.....	.....	.....	.....	91,300 00
Cleaning Streets.....	.....	.....	.....	112,500 00	123,000 00	123,500 00	165,700 00	.....
Street Expenses and Repairs.....	200,000 00	270,000 00	310,000 00	{ 385,000 00	140,000 00	170,494 00	259,224 00	250,000 00
Deghne or Belgian Pavement.....	.....	.....	.....	{ 100,000 00	250,000 00	75,000 00	60,000 00	100,000 00
Common Schools---for State.....	.....	.....	.....	.....	.....	165,000 00	.....	50,000 00
Do ---for City.....	8,144 49	.....	185,641 46	129,971 91	74,742 55	124,904 43	126,116 99	383,805 37
Commissioners of Record.....	267,968 86	447,487 48	502,315 10	604,000 00	668,813 50	956,000 00	1,023,354 36	1,100,210 81
Building Loan Stock, Nos. 2 and 3.....	.....	.....	.....	.....	.....	50,000 00	150,000 00	559,000 00
Indexing Records, County Offices.....	50,000 00	50,000 00	50,000 00	50,000 00	50,000 00	50,000 00	50,000 00	50,000 00
Judges Supreme Court.....	.....	.....	.....	.....	.....	.....	.....	.....
Lighting Lamp District.....	.....	.....	.....	.....	.....	.....	.....	.....
New York State Lunatic Asylum.....	185,000 00	190,000 00	200,000 00	300,000 00	321,405 00	330,380 00	396,367 00	456,490 00
Do Juvenile Asylum.....	126 68	168 34	361 66	467 00	467 00	500 00	800 00	800 00
Do Asylum for Idiots.....	.....	.....	.....	50,000 00	4,882 20	20,000 00	40,000 00	40,000 00
Institution for the Blind.....	.....	.....	.....	.....	.....	60 00	120 00	240 00
Do Deaf and Dumb.....	.....	.....	.....	.....	.....	.....	.....	.....
Police.....	720 00	720 00	720 00	2,680 00	2,080 00	2,100 00	2,240 00	2,240 00
Public Education Stock.....	2,080 00	2,800 00	2,960 00	2,640 00	2,640 00	2,700 00	2,700 00	2,700 00
State Mill Tax.....	492,000 00	510,000 00	540,000 00	615,000 00	872,715 00	819,400 00	828,500 00	825,500 00
Washington Square Iron Railing Stock.....	.....	.....	.....	.....	12,448 58	12,357 36	12,357 36	12,357 36
Water Loan Interest.....	143,042 90	160,059 17	175,853 39	103,408 23	810,224 69	346,714 34	608,826 03	511,740 50
Arrearages of Previous Year.....	5,000 00	5,000 00	5,000 00	5,000 00	.....	.....	.....	.....
Blasting Diamond Reef.....	290,940 60	35,000 00	18,833 47	742,157 91	123,770 22	481,612 76	415,932 83	488,370 47
Repairing County Jail.....	.....	.....	.....	.....	.....	.....	35,600 00	.....
Monument to Major-General Worth.....	.....	.....	.....	.....	.....	.....	5,000 00	.....
Grooving Broadway.....	.....	.....	.....	.....	.....	.....	23,500 00	.....
Paving Bowery and Chatham street.....	.....	.....	.....	.....	.....	.....	50,000 00	.....
Grading Tenth avenue.....	.....	.....	.....	.....	.....	.....	75,000 00	100,000 00
Ward Maps and Surveys for Tax Commissioners.....	.....	.....	.....	.....	.....	.....	18,000 00	.....
Surgical Department of Police.....	.....	.....	.....	.....	.....	.....	10,000 00	5,000 00
Central Park Interest.....	.....	.....	.....	.....	.....	.....	5,000 00	.....
Society for Reformation of Juvenile Delinquents.....	.....	.....	.....	.....	.....	.....	162,422 15	255,760 00
Charges on Arrears of Taxes and Assessments.....	.....	.....	.....	.....	.....	.....	4,000 00	8,000 00
Station-house, Twenty-first Ward.....	.....	.....	.....	.....	.....	.....	.....	10,000 00
Do Fifteenth Ward.....	.....	.....	.....	.....	.....	.....	.....	10,000 00
Contingencies of Mayor's Office.....	.....	.....	.....	.....	.....	.....	.....	12,000 00
Iron Pavement.....	.....	.....	.....	.....	.....	.....	.....	5,000 00
Parapet Wall, Fiftieth st., Fourth & Lexington av.....	.....	.....	.....	.....	.....	.....	.....	125,000 09
Removing Public Buildings in opening streets.....	.....	.....	.....	.....	.....	.....	.....	6,000 00
Wells and Pumps, repairing.....	.....	.....	.....	.....	.....	.....	.....	5,000 00
.....	.....	.....	.....	.....	.....	.....	.....	1,000 00
TOTAL TAX LEVIED.....	\$3,230,180 47	\$2,924,384 99	\$3,378,335 08	\$5,069,650 05	\$4,841,255 54	\$5,843,822 89	\$7,075,425 72	\$8,066,566 52

\* Of the tax of 1854, for this account, \$85,000 was unexpended in that year, and leaves only \$15,000 to be levied in 1855.

## STATEMENT No. 5.

RECEIPTS of the Commissioners of the Sinking Fund for the Redemption of the CITY DEBT, during the year ending December 31st, 1857.

Received from Butchers' Stands .....	\$15,278 93
“ “ Bonds and Mortgages .....	26,531 00
“ “ Commutation of Water Lot Rents.....	3,385 34
“ “ Fire Loan Property, (bond and mortgage,).....	932 50
“ “ Interest on City Stocks.....	288,715 06
“ “ “ “ “ Bonds.....	32,712 91
“ “ Licenses, per Clerk of Common Council.....	21,313 75
“ “ Market Fees .....	78,001 83
“ “ Market Cellar Rents .....	15,663 71
“ “ Revenue Bonds .....	917,300 00
“ “ Real Estate.....	72,236 56
“ “ Street Vaults .....	18,143 12
“ “ Water Lot Rents .....	322 69
“ “ Water Loan of 1857, redeemed .....	209,002 00
Total receipts for the year 1857.....	\$1,699,539 40

## INVESTMENTS AND PAYMENTS during the same period.

Invested in Revenue Bonds.....	\$500,000 00
“ “ City Stocks.....	259,075 00
Paid for redemption of Water Loan of 1857.....	990,488 00
“ “ Advertising.....	1,129 53
“ “ Surveys and Maps .....	171 00
“ “ Rent of Merchants' Exchange for auction sale of Real Estate .....	45 00
“ Interest on Stocks purchased.....	1,868 12
“ Ward, Doolittle & Wilcoxson, Attorneys, judg- ment .....	438 63
“ Salary of Clerk.....	300 00
“ Appraisers.....	155 00
“ J. A. Rose, for preparing Rent-rolls .....	50 00
Refunded amount over-paid on Bond and Mortgage....	50 00
Amount of Payments and Investments.....	\$1,753,770 28
Deduct for Outstanding Warrants.....	11,087 00
	\$1,742,683 28
Advance from Sinking Fund, for payment of Interest, January 1, 1857.....	332,131 72 2,074,815 00
Advance from Sinking Fund, for payment of Interest, January 1, 1858.	\$375,275 60



## STATEMENT No. 6.

RECEIPTS of the Commissioners of the Sinking Fund, for the PAYMENT OF INTEREST ON  
THE CITY DEBT, during the year, ending December 31st, 1857.

Received for Croton Water Rents. ....	\$735,364 11	
“ “ Central Park Rents.....	1,909 50	
“ “ Fines and Penalties .....	11,417 99	
“ “ Interest on Bonds and Mortgages .....	32,285 33	
“ “ “ “ Revenue Bonds.....	30,000 00	
“ “ “ “ Assessment Bonds.....	14,634 03	
“ “ “ “ Central Park Stock returned .....	98 76	
“ “ Justices' Courts .....	14,572 15	
“ “ Licenses, per First Marshall .....	8,930 25	
“ “ Marine Court .....	5,141 05	
“ “ Night Soil Contract .....	2,000 00	
“ “ Police Courts .....	1,246 55	
“ “ Personal Property .....	36 00	
“ “ Rents on Real Estate .....	303,047 70	
“ “ Revenue Bonds .....	500,000 00	
Received from Tax Levy of 1857, for Payment of Interest on Central Park Stock.....	255,760 00	
Total Receipts for the year 1857.....	\$1,916,443 42	
Balance January 1st, 1857.....	1,071,677 97	
Cash means for the year 1857 .....	\$2,988,121 39	

## PAYMENTS during same period.

Paid Interest on City Stocks .....	\$936,884 95	
“ for 34 Maps, bound in 2 vols., Harbor of N. Y. .	2,040 00	
“ “ House at Ferry, foot of 86th street, East river.	2,000 00	
“ “ Compiling Returns of Unpaid Croton Water Rents of 1856.....	235 60	
“ “ Advertising.....	60 45	
“ “ Opening and Posting Stock-books.....	450 00	
“ “ Entering in Tax Books, Arrears of Croton Water Rents.....	395 70	
Refunded, Rent of Houses in Central Park .....	37 50	942,104 20
Balance in Bank, January 1st, 1858 .....	\$2,046,017 19	

## STATEMENT No. 7.

PERMANENT CITY DEBT, *Redeemable from the Sinking Fund, January 1st, 1858*

5	per cent.	Water Stock.....	redeemable	Jan. 1st, 1858.	\$3,000,000 00
5	"	"	"	Jan. 1st, 1860.	2,500,000 00
5	"	"	"	Nov. 1st, 1870.	3,000,000 00
5	"	"	"	July 12th, 1875.	255,600 00
5	"	"	"	Nov. 1st, 1880.	2,147,000 00
5 & 6	per cent.	Croton Water Stock,	"	Feb. 1st, 1890.	1,000,000 00
5	per cent.	Fire Indemnity	"	May 10th, 1868.	402,768 00
5	"	Building Loan	" No. 3,"	Nov. 1st, 1870.	75,000 00
5	"	"	" No. 4,"	Nov. 1st, 1873.	115,000 00
5	"	Water (New Res.)	"	Oct. 1st, 1875.	29,100 00
6	"	" ( " )	"	Oct. 1st, 1875.	988,300 00
5	"	Central Park Fund,	"	July 1st, 1898.	713,200 00
6	"	" " " "	"	July 1st, 1887.	1,765,700 00
6	"	Central Park F'd Stk. ( Arsenal)	"	July 1st, 1898.	197,500 00
6	"	Central Park Improv. F'd Stk.	"	Aug. 1st, 1887.	300,000 00

Total Amount of Debt, January 1, 1858.....\$16,489,168 00

*Less—*

Amount of *Stocks* held by the Commissioners of  
the Sinking Fund, for the redemption of the

City Debt, (see Statement No. 8.)..... \$5,093,880 00

Bonds and Mortgages..... 764,749 04 5,858,629 04

Amount of Debt unprovided for, January 1st, 1858....\$10,630,538 96



## STATEMENT No. 8.

STOCKS AND SECURITIES, *held by the Commissioners of the Sinking Fund for the redemption of the City Debt, January 1st, 1858.*

5 per cent. Water Stock . . . . .	Redeemable Jan. 1st, 1858	\$885,078 00
5 " " " . . . . .	" Jan. 1st, 1860	522,497 00
5 " " " . . . . .	" Nov. 1st, 1870	176,912 00
5 " " " . . . . .	" July 12th, 1875	57,900 00
5 " " " . . . . .	" Nov. 1st, 1880	2,087,025 00
5 and 6 per ct. Croton Water Stock,	" Feb. 1st, 1890	500,000 00
5 per cent. Fire Indemnity " "	" May 5th, 1868	169,368 00
5 " Public Building " No. 3, "	" 1861 to 1866	200,200 00
5 " " " " No. 4, "	" Nov. 1st, 1873	40,000 00
5 " Central Park " "	" July 1st, 1898	310,000 00
5 " Public Education " "	" May 1st, 1873	104,000 00
5 " Stocks for Docks and Slips, "	" Nov. 1st, 1875	8,000 00
5 " Water (New Reservoir) Stk., "	" Oct. 1st, 1875	6,100 00
6 " Central Park Improv. F'd Stk. "	" Aug. 1st, 1887	50,000 00
6 " Central Park Ass't Fund " "	" Feb. 5th, 1859	6,800 00

Total amount of Stocks, January 1st, 1858 . . . . . \$5,093,880 00

Bonds and Mortgages taken on Sales of Real Estate, \$709,249 04

Fire Loan Bonds and Mortgages . . . . . 45,500 00

Bond of Hudson River Railroad Company . . . . . 10,000 00 764,749 04

Total Assets, January 1st, 1858 . . . . . \$5,858,629 04

January 20th, 1858.

We, the Commissioners of the Sinking Fund, have this day examined the several Certificates of Stock now standing in the name of the Commissioners, and find them correct, as above, amounting to five millions and ninety three thousand eight hundred and eighty dollars; one certificate of Central Park Improvement Fund Stock, of fifty thousand dollars having been sold since January 1st, 1858.

DANIEL F. TIEMANN,  
GEORGE G. BARNARD,  
A. V. STOUT,  
THOMAS McSPEDON,  
HENRY ARCULARIUS.

## STATEMENT No. 9.

FUNDED CITY DEBT, *Redeemable from Taxation, January 1st, 1858.*

5	per cent.	Public Building Stock, No. 3,	payable Nov. 1st, 1858	\$50,000 00
5	"	"	" " " " 1859	50,000 00
5	"	"	" " " " 1860	50,000 00
5	"	"	" " " " 1861	50,000 00
5	"	"	" " " " 1862	50,000 00
5	"	"	" " " " 1863	50,000 00
5	"	"	" " " " 1864	50,000 00
5	"	"	" " " " 1865	50,000 00
5	"	"	" " " " 1866	50,000 00
5	"	N. Y. City Stk. for Docks and Slips,	" " 1867	50,000 00
5	"	"	" " " " 1868	50,000 00
5	"	"	" " " " 1869	50,000 00
5	"	"	" " " " 1870	50,000 00
5	"	"	" " " " 1871	50,000 00
5	"	"	" " " " 1872	50,000 00
5	"	"	" " " " 1873	50,000 00
5	"	"	" " " " 1874	50,000 00
5	"	"	" " " " 1875	50,000 00
5	"	"	" " " " 1876	50,000 00
5	"	Public Education Stock,*	payable May 1st, 1873	154,000 00
Total amount, January 1st, 1858.....				<u>\$1,104,000 00</u>

\* The sum of \$4,657 36 is to be raised by *tax, annually, for twenty years*, to constitute a fund for the redemption of the Public Education Stock, when it becomes due.

## STATEMENT No. 10.

FUNDED CITY DEBT, *Redeemable from Central Park Assessments, Jan. 1st, 1858.*6 per cent. Central Park Ass't Fund S'k, pay'ble Feb. 5, 1859, \$1,600,000 00



## STATEMENT No. 11.

## TREASURY LOAN ACCOUNT, 1857.

Revenue Bonds of 1857, issued in anticipation of the Tax of the year 1857, during the year ending December 31st, 1857, viz:

6 per cent Revenue Bonds.....	\$1,075,700 00
7 per cent       "       " .....	4,422,350 00
7 per cent. Special Loan of 1857.....	100,000 00
Total Amount of Treasury Loans of 1857.....	<u>\$5,598,050 00</u>

There have been *paid* and *cancelled* during the same period, as follows, viz:

6 per cent. Revenue Bonds of 1856, payable in 1857, (Commissioners of the Sinking Fund,) cancelled.....	200,000 00
6 per cent. Revenue Bonds of 1856, payable in 1857—paid....	2,794,465 00
7       "       "       "       "       "       "       " ....	1,147,900 00
7       "       Special Loan,       "       "       "       " ....	350,000 00

Total amount of Revenue Bonds and Special Loans of 1856, paid and cancelled in 1857.....\$4,492,365 00

6 per cent. Rev. Bonds of 1857, payable in 1857.   \$893,200 00	
7       "       "       "       "       "       "       " .	1,113,950 00
7       "       Special Loan,       "       "       "       " .	100,000 00 2,107,150 00

Total amount of Treasury Loans paid in 1857.....\$5,599,515 00

Amount of Treasury Loans of 1857.....	\$5,598,050 00
Paid to December 31st, 1857 .....	2,107,150 00
Outstanding January 1st, 1858.....	<u>\$3,490,900 00</u>

## STATEMENT No. 12.

## LOANS FOR PAYMENT OF ASSESSMENTS, 1857.

6 per cent. Assessment Bonds of 1857, (payable in one year or less,) issued in anticipation of assessments confirmed by the Common Council, during the year ending December 31st, 1857. \$214,400 00

There have been paid during the same period, as follows, viz:

6 per cent. Assessment Bonds of 1856.....	\$90,000 00
6     "                 "                 "                 1857.....	32,000 00
Total amount paid in 1857.....	<u>\$122,000 00</u>

## FIVE YEARS ASSESSMENT BONDS.

6 per cent. Assessment Bonds, payable July 1st, 1861, issued during the year ending December 31st, 1857.....	\$330,700 00
Amount issued previous to January 1st, 1857.....	458,900 00

Total amount of Five Years 6 per cent. Assessment Bonds, January 1st, 1858.....	<u>\$789,600 00</u>
---	---------------------

7 per cent. Assessment Bonds, payable October 1st, 1862, issued during the year ending December 31st, 1857.....	<u>\$178,000 00</u>
---	---------------------

Total amount of Assessment Bonds outstanding, January 1st, 1858, viz:

6 per cent. Assessment Bonds, one year.....	\$182,400 00
6     "                 "                 "                 five years.....	789,600 00
7     "                 "                 "                 five years.....	178,000 00
Total amount.....	<u>\$1,150,000 00</u>



STATEMENT No. 13.

Dr. Andrew V. Stout, in account with the Corporation of the City of New York. Cr.

1857:		1857:	
January 1..To balance at this date.....	\$1,484,162 23	Decem. 31..By amount of Warrants paid in the year	
May 14..To amount transferred from Sinking Fund to reconcile balances, in transfer of funds from Mechanics' Bank in 1856..	40 20	1857, per returns .....	\$16,371,910 45
Decem. 31..To amount received from returning officers, in 1857 .....	16,256,858 71	" ..By balance to new account.....	1,369,150 69
			<u>\$17,741,061 14</u>
1858:			
January 1..To balance brought down.....	1,369,150 69		

COMPTROLLER'S OFFICE,  
NEW YORK, December 31, 1857.

Dr. Andrew V. Stout, in account with the Commissioners of the Sinking Fund. Cr.

1857:		1857:	
January 1..To balance on Interest account.....	\$1,071,677 97	January 1..By balance on Debt account.....	\$332,131 72
Decem. 31..To Receipts to date:		Decem. 31..By amount paid per returns:	
On Interest account.....	1,916,443 42	On Debt account.....	1,742,683 28
On Debt account .....	1,699,539 40	On Interest account.....	942,104 20
		“ ..By Balance to new account.....	1,670,741 59
			<u>\$4,687,660 79</u>
1858:			
January 1..To balance brought down.....	\$1,670,741 59		

COMPTROLLER'S OFFICE,  
NEW YORK, December 31, 1857.

## STATEMENT No. 14.

## DAILY RECEIPT OF TAXES FOR 1857.

DATE.	TAX.	DISCOUNT.
1857:		
Sept. 7.....	\$38,494 62.....	\$626 12
" 8.....	44,435 58.....	714 40
" 9.....	99,640 20.....	1,583 20
" 10.....	55,357 51.....	869 66
" 11.....	41,611 67.....	645 02
" 12.....	54,693 68.....	838 70
" 14.....	57,242 11.....	853 91
" 15.....	91,657 27.....	1,353 19
" 16.....	57,401 58.....	835 32
" 17.....	37,286 38.....	524 49
" 18.....	31,326 03.....	444 50
" 19.....	33,125 13.....	463 53
" 21.....	24,446 70.....	332 56
" 22.....	17,637 00.....	236 36
" 23.....	56,722 65.....	749 62
" 24.....	25,261 40.....	333 80
" 25.....	38,245 93.....	489 74
" 26.....	26,563 08.....	335 55
" 28.....	38,254 60.....	468 85
" 29.....	34,637 63.....	417 79
" 30.....	24,051 65.....	285 06
	<hr/>	<hr/>
	\$928,092 40	\$13,401 37.. \$914,691 03



DATE.	TAX.	DISCOUNT.
1857:		
Oct. 1.....	\$32,500 76.....	\$379 58
" 2.....	18,025 60.....	207 18
" 3.....	20,231 30.....	228 39
" 5.....	21,140 19.....	230 07
" 6.....	22,576 73.....	241 67
" 7.....	30,709 59.....	324 09
" 8.....	16,384 05.....	169 43
" 9.....	21,523 18.....	218 12
" 10.....	30,440 80.....	303 55
" 12.....	39,565 46.....	378 64
" 13.....	54,825 16.....	516 14
" 14.....	23,957 05.....	221 67
" 15.....	34,241 48.....	308 31
" 16.....	22,112 53.....	192 69
" 17.....	50,516 60.....	434 95
" 19.....	17,001 07.....	138 96
" 20.....	13,793 33.....	112 85
" 21.....	24,139 35.....	189 14
" 22 .....	28,680 05.....	219 82
" 23.....	34,960 14.....	361 13
" 24.....	60,056 72.....	437 37
" 26 .....	102,522 97.....	707 67
" 27.....	90,407 61.....	605 26
" 28.....	59,659 92.....	388 30
" 29.....	119,717 22.....	754 95
" 30.....	166,017 36.....	1,017 37
" 31.....	136,615 31.....	813 02
	<hr/> \$1,292,321 54	<hr/> \$10,000 32..\$1,282,321 22

NOVEMBER.			DECEMBER.		
DATE.	TAX.		DATE.	TAX.	INTEREST.
1857:					
Nov. 2....	14,599 52....	Dec. 1....	20,793 53..	205 23	
" 3....	20,275 80....	" 2....	11,104 97..	112 45	
" 4....	20,686 18....	" 3....	14,483 56..	143 86	
" 5....	28,935 60....	" 4....	10,765 72..	108 14	
" 6....	26,148 65....	" 5....	10,131 21..	100 78	
" 7....	23,461 62....	" 7....	10,003 77..	100 14	
" 9....	78,824 48....	" 8....	19,985 36..	197 79	
" 10....	47,077 97....	" 9....	17,447 91..	173 61	
" 11....	31,498 61....	" 10....	30,855 33..	307 16	
" 12....	105,951 61....	" 11....	41,148 45..	419 06	
" 13....	55,431 03....	" 12....	54,504 80..	545 17	
" 14....	27,004 85....	" 14....	145,946 17..	1,459 35	
" 16....	54,834 94....	" 15....	13,045 98..	258 38	
" 17....	81,528 64....	" 16....	4,219 84..	85 28	
" 18....	96,142 10....	" 17....	5,835 41..	112 19	
" 19....	104,311 68....	" 18....	7,125 97..	142 48	
" 20....	95,903 83....	" 19....	8,662 96..	175 55	
" 21....	76,418 91....	" 21....	3,852 53..	76 44	
" 23....	159,651 50....	" 22....	8,699 63..	162 91	
" 24....	270,566 27....	" 23....	6,624 92..	132 19	
" 25....	231,318 45....	" 24....	10,158 29..	198 23	
" 27....	321,563 24....	" 26....	12,925 00..	254 88	
" 28....	695,383 89....	" 28....	19,177 48..	383 48	
" 30....	722,858 30....	" 29....	53,711 03..	979 26	
		" 30....	55,465 50..	1,107 87	
		" 31....	101,417 19..	2,025 40	
<u>\$3,390,377 67</u>			<u>\$698,092 51</u>	<u>\$9,968 00</u>	



## TOTAL RECEIPTS OF TAXES FOR 1857.

Tax Collected in September.....	\$928,092 40	
Discount.....	13,401 37	
	<hr/>	\$914,691 03
Tax Collected in October.....	\$1,292,321 54	
Discount.....	10,000 32	
	<hr/>	1,282,321 22
Tax Collected in November .....	3,390,377 67	
“ “ December .....	698,092 51	
Interest .....	9,968 00	
	<hr/>	708,060 51
Amount of cash received to December 31, 1857..	\$6,295,450 43	

## STATEMENT No. 15.

## REMISSIONS OF TAXES DURING 1857.

WARD.	NAME.	VALUATION.	TAX.	TOTAL.
	1853.			
16	Elizabeth Davis.....	5,000	\$61 71	\$61 71
	1854.			
18	James Barker.....	5,000	52 88	52 88
21	William P. Jones.....	15,000	158 66	158 66
22	Ward Nos. 26 and 27.....	2,500	26 44	26 44
	Total for 1854.....			\$237 98
	1855.			
1	Ocean Bank.....	859,151	10,361 36	10,361 36
2	J. S. Savery.....	5,000	60 30	60 30
3	Merrit & Langley.....	10,000	120 60	
"	Fisher & Cornell.....	3,000	36 18	
"	Michael Boyd.....	500	6 03	
"	S. P. Lyman.....	5,000	60 30	223 11
5	O. Clark.....	1,000	12 06	12 06
6	T. D. Gillespie.....	5,000	60 30	60 30
7	John Kelly.....	1,000	12 06	
"	James Harris.....	1,000	12 06	24 12
8	Miss J. Post.....	2,000	24 12	24 12
9	H. K. Wells.....	2,000	24 12	
"	N. L. Cutting.....	5,800	69 94	
"	E. W. Young.....	3,000	36 18	130 24
11	Hull & Leister.....	1,500	18 09	
"	E. Lewis & Co.....	500	6 03	24 12
12	H. A. Stone.....	25,000	288 12	288 12
15	J. T. Farish.....	10,000	120 60	
"	N. F. De Legore.....	5,000	60 30	180 90
16	Ward No. 2611.....	2,000	24 12	24 12
17	Samuel Reeve.....	10,000	120 60	120 60
18	R. R. McIlvaine.....	4,000	48 24	
"	W. A. Wheeler.....	15,000	180 90	
"	James V. Barker.....	5,000	60 30	289 44
20	J. Spaulding.....	2,000	24 12	24 12
22	Ward Nos. 26 and 27.....	6,000	72 35	72 35
21	J. Soria.....	15,000	180 90	180 90
	Carried forward.....			\$12,100 28



WARD.	NAME.	VALUATION.	TAX.	TOTAL.
	Brought forward.....			\$12,100 28
	NON-RESIDENT.			
	John Lynch.....	3,000	36 18	
	Kelly & Higgins.....	39,000	470 34	
	Robert Britchan.....	20,000	241 20	
				747 72
	Total for 1855.....			\$12,848 00
	1856.			
1	B. Lowe.....	1,000	13 83	
"	Union Mutual Insurance Company.....	258,850	3,579 89	
				3,593 72
2	John Bottomley.....	10,000	138 30	
"	951 Pearl street.....	3,000	41 49	
"	1020 Beekman street.....	138,000	1,908 54	
"	N. Edenton.....	800	11 07	
				2,099 40
3	J. Eaton.....	15,000	207 45	
"	Harris & Dakin.....	5,000	69 15	
				276 60
4	Ward No. 1081.....	5,600	76 44	
"	Henry Barnards.....	800	11 06	
"	J. Maidoff.....	12,000	165 96	
"	G. R. Riker.....	800	11 06	
"	J. B. Vroom.....	10,000	138 30	
				402 82
5	Ephraim Treadwell.....	25,000	345 75	
"	William De Yonge.....	3,000	41 49	
"	Charles Seeley.....	1,000	13 83	
"	L. Elchbury.....	500	6 91	
"	W. Walford.....	2,000	27 66	
"	John Sexton .....	3,500	48 41	
"	G. W. Heath.....	500	6 91	
"	W. Herting.....	500	6 91	
				497 87
6	John Johnston.....	5,000	69 15	
"	1077 Pearl street.....	1,700	23 51	
"	H. K. Hannal.....	10,000	138 30	
				230 96
7	J. M. Patrick.....	2,000	27 66	
"	A. D. Frye.....	3,000	41 49	
"	H. W. Kingman.....	8,500	117 56	
"	E. Conway.....	2,500	34 58	
"	L. M. Rutlesband.....	1,000	13 83	
"	J. T. Hussey.....	10,000	138 30	
"	J. D. Walton.....	10,000	138 30	
"	L. Milbank.....	3,000	41 49	
"	J. P. Paton.....	700	9 68	
	Carried forward.....			\$7,101 37

WARD.	NAME.	VALUATION.	TAX.	TOTAL.
	Brought forward.....			\$7,101 3
7	W. Bones .....	1,500	20 74	
"	Leddy Dunlap.....	2,000	27 66	
"	Samuel Mills .....	30,000	414 90	
"	John Kelly.....	1,500	20 74	
"	Isaac Arnold .....	2,500	34 57	
"	J. Stone.....	5,000	69 15	
"	J. W. Miller .....	1,000	13 83	
"	Matthew Roome .....	5,000	69 15	
"	M. Cooper.....	1,000	13 83	
				1,247 4
8	A. Mallaby .....	2,000	27 66	
"	J. Chewville .....	3,000	41 49	
"	1181 Sullivan street.....	11,600	160 42	
"	G. Bowey .....	1,000	13 83	
"	J. B. Cornell.....	17,500	242 03	
				485 4
9	A. Churney .....	1,000	13 83	
"	— Moneypenny.....	1,500	20 74	
"	Mrs. Lambert .....	2,000	27 66	
"	D. B. Fuller.....	10,000	138 30	
"	H. Priace.....	1,000	13 83	
"	J. W. Hale.....	3,000	41 49	
"	Bayles & Bigham .....	3,000	41 49	
"	C. Zelner.....	5,000	69 15	
"	H. G. Norton .....	3,000	41 49	
"	A. Newstadt.....	1,500	20 75	
"	W. Gorman .....	800	11 07	
"	J. Olandorf.....	3,000	41 49	
"	G. A. Goodwin .....	3,000	41 49	
"	L. V. Dodge.....	10,000	138 30	
"	J. P. Bell.....	3,000	41 49	
"	C. A. Kellogg.....	5,000	69 15	
"	J. Archibald .....	1,000	13 83	
"	E. Mosier.....	1,000	13 83	
"	S. Holden .....	3,000	41 49	
"	W. V. Narsac.....	300	4 14	
"	M. Gibney .....	10,000	138 30	
"	P. H. Brown.....	1,000	13 83	
				997 14
10	D. Granling.....	400	5 53	
"	M. Hammersmith .....	1,000	13 83	
"	H. Ruyter.....	800	11 06	
"	B. Silberman.....	1,000	13 83	
"	M. Best .....	5,000	69 15	
"	758 Essex street .....	1,500	20 75	
"	P. Eurich.....	1,000	13 83	
"	F. Fenton.....	10,000	138 30	
"	S. D. Hawkins. ....	1,000	13 83	
"	A. J. Brower.....	1,000	13 83	
"	A. W. Guhring.....	500	6 92	
				320 86
	Carried forward.....			\$10,152 26



RD.	NAME.	VALUATION.	TAX.	TOTAL.
	Brought forward.....			\$10,152 26
1	D. Hirsch.....	500	6 92	
"	J. Wallum.....	500	6 92	
				13 84
2	44 and 45, 5 and 6, 132 and 133.....	500	6 91	
"	A. Carrigan.....	15,000	197 60	
"	Lake and Watts Asylum.....	31,700	393 57	
"	H. A. Stone.....	27,000	355 69	
				953 77
3	William Irvin.....	2,500	34 57	
"	W. L. Northarn.....	1,000	13 83	
				48 40
4	John Poley.....	1,000	13 83	
"	J. M. Friedlander.....	500	6 91	
"	Peoples' Washing & Bathing Estab....	20,000	276 60	
				297 34
5	A. A. Chittenden.....	8,000	110 64	
"	C. Ferrero.....	4,000	55 32	
"	J. D. Harris.....	1,000	13 83	
"	P. A. Vyze, Jr.....	50,000	691 50	
"	P. L. Mills.....	5,000	69 15	
"	N. P. Longworth.....	10,000	138 30	
"	Martin & Co.....	5,000	69 15	
"	J. C. Foster.....	3,000	41 49	
"	G. W. Burdsall.....	1,000	13 83	
"	T. T. Woodruff.....	20,000	276 60	
"	M. Martinese.....	20,000	276 60	
"	T. Andrews.....	10,000	138 30	
"	R. Cross.....	10,000	138 30	
"	W. B. Green.....	25,000	345 75	
"	J. Bausch.....	3,500	48 41	
"	J. J. Lynes.....	2,000	27 66	
"	G. W. Beale.....	10,000	138 30	
"	C. E. Habicht.....	30,000	414 90	
"	L. R. Ateenger.....	5,000	69 15	
"	Mrs. Ellen Walter.....	5,000	69 15	
"	H. N. Gamble.....	1,000	13 83	
"	Augustus Freeden.....	2,000	27 66	
"	M. Casado.....	5,000	69 15	
"	N. Hoffman.....	650	8 99	
"	J. G. Keator.....	2,500	34 58	
"	G. N. Marshall.....	10,000	138 30	
"	H. Long.....	5,000	69 15	
"	Maria Fraser.....	5,000	69 15	
"	Valentine Kirby.....	20,000	276 60	
"	N. S. Boun.....	2,500	34 58	
"	E. C. Donnelly.....	20,000	276 60	
"	H. T. Gamage.....	10,000	138 30	
"	Amory Gamage.....	10,000	138 30	
"	B. H. Burrows.....	5,000	69 15	
	Carried forward.....		\$4,510 67	\$11,465 61

WARD.	NAME.	VALUATION.	TAX.	TOTAL.
	Brought forward.....		\$4,510 67	\$11,465 61
15	Thomas G. Wait.....	2,500	34 57	
"	Charles D. Buck.....	5,000	69 15	
"	Seth Adams.....	25,000	345 75	
"	James Warren, M.D. ....	2,000	27 66	
				4,987 80
16	H. Woltencaup.....	2,500	34 58	
"	J. Basted.....	1,000	13 83	
"	G. H. Empire.....	3,000	41 49	
"	New York Floating Dock Company.....		50 00	
"	Salamander Grate Bar Company.....		17 50	
"	John Carlin.....	3,000	41 49	
"	B. Soulters.....	2,500	34 57	
"	A. G. Grandin.....	1,000	13 83	
"	H. Bent.....	5,000	69 15	
"	M. Hunt.....	3,000	41 49	
"	N. Dean, (Trustee).....	18,000	248 94	
"	R. D. Suydam.....	5,000	69 15	
"	Ward Nos. 3099, 3100, 3101.....	6,000	82 98	
"	E. S. Vaughn.....	5,000	69 15	
"	M. Angulo.....	3,000	41 49	
"	E. Davidson.....	2,000	27 66	
"	John Christie.....	1,500	20 74	
"	Mary Van Wagner.....	3,500	48 41	
"	Ward No. 2611.....	2,000	27 60	
				994 09
17	C. Petts & Sons.....	3,000	41 49	
"	W. E. Ehbery & Co. ....	1,000	13 83	
"	E. Bachrach.....	1,700	23 52	
"	J. Green.....	800	11 07	
"	E. R. Wilcox.....	6,000	82 98	
"	B. Sourcors.....	10,000	138 30	
"	R. Tilverton.....	45,000	622 35	
"	W. W. Mason.....	2,000	27 66	
"	E. C. Charley.....	8,800	121 71	
"	J. McGay.....	4,500	62 24	
"	J. Miles.....	9,000	124 47	
"	E. C. Fogg.....	10,000	138 30	
"	J. T. Fisher.....	10,000	138 30	
"	C. H. Tupper.....	10,000	138 30	
"	J. B. Smith.....	19,500	269 69	
"	Matthias Elbert.....	3,000	41 49	
"	Emit Shoening.....	5,000	69 15	
"	Thomas Kennedy.....	5,000	69 15	
"	George F. Stutzman.....	5,000	69 15	
"	John Valentine ..	1,600	22 13	
"	Charles Wingate.....	20,000	276 60	
"	Thomas McGuire.....	2,000	27 66	
				2,529 54
	Carried forward.....			\$19,977 04



WARD.	NAME.	VALUATION.	TAX.	TOTAL.
	Brought forward.....			\$19,977 04
18	O. Gorie.....	5,000	69 15	
"	O. McGovern.....	10,000	138 30	
"	Ward No. 4022, 18th street .....	2,500	34 57	
"	J. H. McCorkle.....	4,000	55 32	
"	S. Cahill.....	24,000	331 92	
"	Estate of Field.....	25,000	345 75	
"	Ward No. 5465, 22d street .....	10,000	138 30	
"	L. C. Tucker .....	10,000	138 30	
"	Ward Nos. 1962, 1964, 1965, 14th st...	40,000	553 20	
"	M. J. Frisbie.....	5,000	69 15	
"	H. Potter.....	5,000	69 15	
"	Ward No. 6272, 24th street.....	6,000	82 98	
"	Estate of J. Blair .....	8,500	117 56	
"	Ward Nos. 1946, 1946½, 14th street ..	16,000	221 28	
"	M. Stevenson.....	10,000	138 30	
"	G. Herring.....	2,000	27 66	
"	Thomas Jackson .....	5,000	69 15	
"	A. B. Bigelow.....	8,000	110 64	
"	Ward Nos. 5090, 5090½, 5091, 5092, 5092½, 5093.....	24,000	331 92	
"	H. H. Elliott.....	5,000	69 15	
"	Henry Suydam .....	12,500	172 88	
				3,284 63
20	Daniel Sherwood.....	2,000	27 66	
"	Casper Ritter.....	10,000	138 30	
				165 96
21	A. Covill .....	25,000	345 75	
"	W. W. Jones.....	5,000	69 15	
"	D. E. Tooper .....	2,000	27 66	
"	M. Burns .....	8,000	110 64	
"	G. P. Arcularius.....	5,000	69 15	
"	J. W. Smith .....	20,000	276 60	
"	C. Adamson.....	10,000	138 30	
"	C. R. Harvey .....	5,000	69 15	
"	Thomas Cornell.....	5,000	69 15	
"	Alexander Josephi .....	5,000	69 15	
"	L. B. Nutting .....	5,000	69 15	
"	G. M. Totten.....	10,000	138 30	
"	E. A. Pierce.....	2,000	27 66	
"	E. S. Shannon .....	25,000	345 75	
"	Sophia Beach .....	10,000	138 30	
				1,963 86
22	Ward No. 46, 46½, Block 132.....	4,100	54 00	
"	No. 9½, Block 185.....	500	6 59	
"	No. 57, 10 and 11; 42 and 43.....	2,050	27 00	
"	No. 26 and 27, 41st street .....	6,000	82 97	
				170 56
	NON-RESIDENT.			
	C. B. Granins .....	2,000	27 66	
	F. P. James.....	50,000	691 50	
	Carried forward .....		\$719 16	\$25,562 05

NAME.	VALUATION.	TAX.	TOTAL.
Brought forward.....		\$719 16	\$25,562 05
W. G. Cole .....	1,000	13 83	
L. H. Hatfield .....	1,000	13 83	
R. A. Finley.....	10,000	138 30	
F. F. Muller.....	20,000	276 60	
Stephen Hills.....	20,000	276 60	
S. Lounsberry .....	5,000	69 15	
D. M. Hilliard.....	1,000	13 83	
C. P. Caldwell.....	1,000	13 83	
William H. Woodruff.....	7,500	103 73	
J. B. Fellows.....	4,000	55 32	
A. Bembe.....	2,000	27 66	
N. Bidwell.....	20,000	276 60	
James Leslie .....	3,000	41 49	
Samuel L. Keith.....	5,000	69 15	
F. P. Chapman.....	5,000	69 15	
James Brower .....	10,000	138 30	
J. E. Rawson.....	8,000	110 64	
George Riker.....	2,300	31 80	
S. T. Bens .....	36,000	497 88	
Peter Wells .....	4,000	55 32	
J. Rosbotham .....	1,000	13 83	
M. Lehmaire .....	15,000	207 45	
John G. Wilson.....	10,000	138 30	
John Schuber .....	15,000	207 45	
G. W. White.....	2,000	27 66	
W. P. James.....	4,000	55 32	
W. P. Walker.....	5,000	69 15	
F. A. Schwartz.....	20,000	276 60	
H. Lohmeyer.....	5,000	69 15	
Jessup Tarrant .....	100,000	1,383 00	
H. G. Knight .....	5,000	69 15	
Charles D. Hazen.....	40,000	553 20	
William Silvey .....	8,500	117 56	
J. C. McBurney .....	10,000	138 30	
W. Friedlander.....	9,000	124 47	
F. G. Whitney .....	5,000	69 15	
Schenck & Downing.....	100,000	1,383 00	
Hugan, Stobel & Co.....	25,000	345 75	
J. Tryon .....	15,000	207 45	
J. Stefmer .....	500	6 92	
C. Dygert.....	400	5 53	
A. & S. Henry & Co. ....	23,000	318 09	
J. S. Fancher .....	2,000	27 66	
J. H. Bates.....	10,000	138 30	
B. T. Buckman .....	4,000	55 32	
J. Bartlett.....	10,000	138 30	
			9,158 23
Total for 1856.....			<u>\$34,720 28</u>



WARD.	NAME.	VALUATION.	TAX.	TOTAL.
	1857.			
1	Mechanics' Bank.....	100,000	1,556 44	1,556 44
2	Ward Map, No. 1020, A.....	25,000	389 11	
"	" " 1020, B.....	21,000	326 86	
"	" " 1020, C.....	19,000	295 72	
"	" " 1020.....	15,000	233 47	
"	" " 1021, A.....	18,000	280 16	
"	" " 1021, B.....	15,000	233 46	
"	" " 1021.....	33,000	513 63	
				2,272 41
9	No. 8 King street.....	1,000	15 56	
"	J. L. Knapp.....	5,000	77 82	
"	Andrew Stevenson.....	1,500	23 35	
				116 73
11	Michael Russell.....	1,000	15 57	15 57
15	R. S. Holt.....	3,000	46 70	
"	S. M. Beckley.....	29,000	451 37	
"	James Renwick.....	10,000	155 64	
				653 71
16	4169, 4170, 4171, 4172.....	6,000	93 38	93 38
17	Charles Easton.....	10,000	155 65	155 65
18	5731, 5732.....	4,000	62 26	62 26
20	Peter Roberts.....	7,000	108 95	108 95
22	Ward Map No. 27.....	4,050	53 89	
"	No. 57, Block 177.....	2,050	29 33	
"	House of Mercy.....	5,500	73 69	
				156 91
	Total for 1857.....			<u>\$5,192 01</u>

## RECAPITULATION.

1853..	Total Tax Remitted .....	\$61 71
1854..	" " ".....	237 98
1855..	" " ".....	12,848 00
1856..	" " ".....	34,720 28
1857..	" " ".....	5,192 01
	Total.....	<u>\$53,059 98</u>

## STATEMENT No. 16.

## OFFICE OF RECEIVER OF TAXES, NEW YORK.

*Statement of the Moneyed or Stock Corporations in the City of New York, deriving an income from their Capital, showing the name of the Company, the amount of Personal and Real Property, the Total Valuation, and the amount of Tax levied on each Company in 1857.*

INCORPORATED COMPANIES.	PERSONAL ESTATE.	REAL ESTATE.	TOTAL VALUATION.	AMOUNT OF TAX.
American Exchange Bank .....	3,299,913 00	198,812 00	3,498,725 00	54,455 53
Atlantic Bank .....	400,000 00	.....	400,000 00	6,225 76
Bank of America .....	1,774,200 00	330,251 00	2,104,451 00	32,754 49
“ of Commerce .....	7,129,492 00	.....	7,129,492 00	110,966 25
“ of the Commonwealth.....	561,165 00	549,421 00	1,110,586 00	17,285 56
“ of New York .....	1,670,655 00	300,944 00	1,971,599 00	30,686 72
“ of North America.....	888,748 00	.....	888,748 00	13,832 81
“ of the Republic .....	1,816,802 00	177,298 00	1,994,100 00	31,036 95
“ of the State of New York.....	1,788,528 00	.....	1,788,528 00	27,837 35
Broadway Bank.....	507,847 00	140,000 00	647,847 00	10,083 34
Bowery Bank .....	261,445 00	40,000 00	301,445 00	4,691 80
Butchers' and Drovers' Bank.....	543,000 00	60,000 00	603,000 00	9,385 32
Bull's Head Bank .....	173,300 00	.....	173,300 00	2,697 30
City Bank .....	923,417 00	.....	923,417 00	14,372 42
Corn Exchange Bank.....	802,435 00	111,564 00	913,999 00	14,225 81
Chemical Bank.....	764,028 00	70,000 00	834,028 00	12,981 13
Continental Bank .....	1,275,831 00	.....	1,275,831 00	19,857 54
Citizen's Bank .....	337,500 00	.....	337,500 00	5,252 98
Chatham Bank.....	367,095 00	63,370 00	430,465 00	6,699 28
Dry Dock Company .....	313,040 00	233,340 00	546,380 00	8,460 91
East River Bank .....	269,275 00	.....	269,275 00	4,191 09
Fulton Bank.....	681,061 00	35,000 00	716,061 00	11,144 75
Greenwich Bank.....	184,591 00	12,000 00	196,591 00	3,059 80
Grocers' Bank.....	265,974 00	34,000 00	299,974 00	4,668 89
Hanover Bank .....	908,119 00	91,880 00	999,999 00	15,564 36
Island City Bank.....	300,000 00	.....	300,000 00	4,669 32
Irving Bank.....	402,500 00	42,000 00	444,500 00	6,918 37
Importers' and Traders' Bank.....	1,000,000 00	.....	1,000,000 00	15,564 40
Leather Manufacturers' Bank.....	739,101 00	.....	739,101 00	11,503 65
Manhattan Company.....	1,859,096 00	150,750 00	2,009,846 00	31,279 30
Mechanics' Banking Association....	562,071 00	75,250 00	637,321 00	9,918 96
Merchants Bank .....	1,319,350 00	160,000 00	1,479,350 00	23,025 18
Mechanics' Bank.....	1,761,942 00	312,432 00	2,074,374 00	32,286 35
Metropolitan Bank .....	2,759,997 00	238,900 00	2,998,897 00	46,675 99
Marine Bank.....	493,750 00	75,000 00	568,750 00	8,852 24
Mercantile Bank .....	1,000,000 00	.....	1,000,000 00	15,564 40
Market Bank .....	925,000 00	75,000 00	1,000,000 00	15,564 40
Merchants Exchange Bank .....	1,169,951 00	862,800 00	2,032,751 00	31,638 47
Mechanics' and Traders' Bank.....	383,864 00	16,136 00	400,000 00	6,225 74
National Bank .....	1,071,312 00	59,149 00	1,130,461 00	17,594 91
Nassau Bank.....	572,243 00	165,000 00	737,243 00	11,474 73
North River Bank.....	580,771 00	89,600 00	670,371 00	10,433 90
New York Exchange Bank.....	130,000 00	.....	130,000 00	2,023 37
New York County Bank .....	200,000 00	.....	200,000 00	3,112 88
Ocean Bank.....	923,544 00	76,456 00	1,000,000 00	15,564 38
Oriental Bank.....	300,000 00	.....	300,000 00	4,669 32
Carried forward.....	\$46,361,953 00	\$4,846,353 00	\$51,208,306 00	\$796,978 40



INCORPORATED COMPANIES.	PERSONAL ESTATE.	REAL ESTATE.	TOTAL VALUATION.	AMOUNT OF TAX.
Brought forward.....	\$46,361,953 00	\$4,846,353 00	\$51,208,306 00	\$796,978 40
Phoenix Bank.....	1,625,000 00	175,000 00	1,800,000 00	28,015 92
Pacific Bank .....	422,700 00	.....	422,700 00	6,579 06
People's Bank.....	335,975 00	76,525 00	412,500 00	6,420 30
Park Bank.....	1,866,704 00	133,296 00	2,000,000 00	31,128 78
St. Nicholas Bank.....	395,742 00	104,258 00	500,000 00	7,782 17
Seventh Ward Bank.....	504,670 00	37,913 00	542,583 00	8,444 96
Shoe and Leather Bank.....	899,147 00	120,000 00	1,019,147 00	15,862 39
Tradesmens' Bank.....	776,000 00	24,000 00	800,000 00	12,451 51
Union Bank.....	1,327,500 00	172,500 00	1,500,000 00	23,346 58
Artizans' Bank.....	600,000 00	.....	600,000 00	9,338 64
Bank for Savings in the City of N. Y. ....	.....	123,000 00	123,000 00	1,914 42
Seamens' " " " " ..	.....	150,000 00	150,000 00	2,334 66
Bowery Savings' Bank.....	.....	96,000 00	96,000 00	1,494 18
Irving " " .....	.....	16,000 00	16,000 00	249 03
Dry Dock Savings' Institute.....	.....	2,500 00	2,500 00	38 91
East River " " .....	.....	5,500 00	5,500 00	85 60
Greenwich Savings' Bank.....	.....	30,000 00	30,000 00	466 93
Arctic Fire Insurance Company.....	240,000 00	.....	240,000 00	3,735 45
Aetna " " " " .....	200,000 00	.....	200,000 00	3,112 88
Astor " " " " .....	150,000 00	.....	150,000 00	2,334 66
American " " " " .....	133,333 00	.....	133,333 00	2,075 23
Bowery " " " " .....	300,000 00	.....	300,000 00	4,669 32
Beekman " " " " .....	200,000 00	.....	200,000 00	3,112 88
City " " " " .....	173,240 00	.....	173,240 00	2,696 37
Commercial " " " " .....	198,685 00	.....	198,685 00	3,092 40
Clinton " " " " .....	250,000 00	.....	250,000 00	3,891 10
Continental " " " " .....	500,000 00	.....	500,000 00	7,782 20
Columbia " " " " .....	200,000 00	.....	200,000 00	3,112 88
Commonwealth " " " " .....	250,000 00	.....	250,000 00	3,891 10
Eagle " " " " .....	272,498 00	68,449 00	340,947 00	5,306 60
Empire City " " " " .....	200,000 00	.....	200,000 00	3,112 88
Excelsior " " " " .....	200,000 00	.....	200,000 00	3,112 88
East River " " " " .....	150,000 00	.....	150,000 00	2,334 66
Firemans' " " " " .....	204,000 00	.....	204,000 00	3,175 13
Fulton " " " " .....	150,000 00	.....	150,000 00	2,334 66
Greenwich " " " " .....	186,400 00	6,500 00	192,900 00	3,002 35
Grocers' " " " " .....	200,000 00	.....	200,000 00	3,112 88
Great Western " " " " .....	500,000 00	.....	500,000 00	7,782 20
Howard " " " " .....	186,390 00	63,487 00	249,877 00	3,889 15
Hanover " " " " .....	200,000 00	.....	200,000 00	3,112 88
Harmony " " " " .....	150,000 00	.....	150,000 00	2,334 66
Home " " " " .....	461,107 00	66,568 00	527,675 00	8,212 91
Hamilton " " " " .....	127,770 00	.....	127,770 00	1,988 65
Humbolt " " " " .....	133,333 00	.....	133,333 00	2,075 23
Hope " " " " .....	150,000 00	.....	150,000 00	2,334 66
Jefferson " " " " .....	216,145 00	4,500 00	220,645 00	3,434 19
Irving " " " " .....	200,000 00	.....	200,000 00	3,112 88
Indemnity " " " " .....	150,000 00	.....	150,000 00	2,334 66
Knickerbocker " " " " .....	228,118 00	51,881 00	279,999 00	4,358 00
Lafarge " " " " .....	125,100 00	.....	125,100 00	1,947 10
Lennox " " " " .....	150,000 00	.....	150,000 00	2,334 66
Lorillard " " " " .....	200,000 00	.....	200,000 00	3,112 88
Lamar " " " " .....	200,000 00	.....	200,000 00	3,112 88
Manhattan " " " " .....	250,000 00	.....	250,000 00	3,891 10
Metropolitan " " " " .....	300,000 00	.....	300,000 00	4,669 32
Mechanics and Traders' " " " " .....	196,920 00	.....	196,920 00	3,064 93
Mercantile " " " " .....	200,000 00	.....	200,000 00	3,112 88
Market " " " " .....	193,405 00	.....	193,405 00	3,010 21
National " " " " .....	174,757 00	.....	174,757 00	2,719 97
Niagara " " " " .....	209,708 00	.....	209,708 00	3,263 96
New Amsterdam " " " " .....	200,000 00	.....	200,000 00	3,112 88
Carried forward.....	\$64,576,300 00	\$6,374,230 00	\$70,950,530 00	\$1,104,253 79

INCORPORATED COMPANIES.	PERSONAL ESTATE.	REAL ESTATE.	TOTAL VALUATION.	AMOUNT OF TAX.
Brought forward.....	\$64,576,300 00	\$6,374,230 00	\$70,950,530 00	\$1,104,253 79
North American Fire Insurance Co.	250,000 00	.....	250,000 00	3,891 10
New World " " "	200,000 00	.....	200,000 00	3,112 88
N. Y. Equitable " " "	234,423 00	.....	234,423 00	3,648 63
Park " " "	200,000 00	.....	200,000 00	3,112 88
Peoples' " " "	150,000 00	.....	150,000 00	2,334 66
Republic " " "	182,315 00	.....	182,315 00	2,837 61
Relief " " "	150,000 00	.....	150,000 00	2,334 66
Rutgers' " " "	151,344 00	24,000 00	175,344 00	2,629 11
St. Marks' " " "	150,000 00	.....	150,000 00	2,334 46
St. Nicholas " " "	134,969 27	.....	134,969 27	2,100 70
Stuyvesant " " "	200,000 00	.....	200,000 00	3,112 88
Security " " "	200,000 00	.....	200,000 00	3,112 88
United States " " "	250,000 00	.....	250,000 00	3,891 10
Washington " " "	200,000 00	.....	200,000 00	3,112 88
Atlantic Mutual Insurance Company	592,115 00	265,000 00	857,115 00	13,340 46
Commercial " " "	163,965 00	.....	163,965 00	2,552 00
Mercantile " " "	376,275 00	.....	376,275 00	5,856 48
New York " " "	100,000 00	.....	100,000 00	1,556 44
Orient " " "	150,000 00	.....	150,000 00	2,334 66
Pacific " " "	100,000 00	.....	100,000 00	1,556 44
Sun " " "	971,471 00	150,000 00	1,121,471 00	17,455 01
Union " " "	495,450 00	.....	495,450 00	7,711 37
Knickerbocker Life " " "	100,000 00	.....	100,000 00	1,556 44
Manhattan " " "	100,000 00	.....	100,000 00	1,556 44
United States " " "	100,000 00	.....	100,000 00	1,556 44
Albion " " "	100,000 00	.....	100,000 00	1,556 44
Broadway Insurance Company .....	136,153 00	68,847 00	205,000 00	3,190 69
Merchants' " " "	200,000 00	.....	200,000 00	3,112 88
North River " " "	335,200 00	23,750 00	358,950 00	5,586 82
Pacific " " "	200,000 00	.....	200,000 00	3,112 88
Peter Cooper " " "	150,000 00	.....	150,000 00	2,334 66
International Mutual Life Ins. Co..	100,000 00	.....	100,000 00	1,556 44
New York Life and Trust Company.	1,272,782 00	221,700 00	1,494,482 00	23,260 65
Farmers' Loan and " " "	477,000 00	154,800 00	631,800 00	9,846 05
United States Trust Company.....	1,250,000 00	.....	1,250,000 00	19,455 50
New York Fire and Marine Ins. Co.	168,632 00	61,653 00	230,285 00	3,584 20
Corn Exch. Fire & In. Nav. Ins. Co.	200,000 00	.....	200,000 00	3,112 88
British Commercial Life Ins. Co...	100,000 00	.....	100,000 00	1,556 44
Liverpool and London Ins. Company	389,000 00	.....	389,000 00	6,054 55
Monarch Fire Insurance Co., London	150,000 00	.....	150,000 00	2,334 66
Royal Ins. Co., Lond. and Liverpool	150,000 00	.....	150,000 00	2,334 66
Mutual Benefit Life Ins. Co of N. J.	100,000 00	.....	100,000 00	1,556 44
New Eng. Mut. Life Ins. Co. Boston	100,000 00	.....	100,000 00	1,556 44
Commercial Telegraph Company...	1,500 00	.....	1,500 00	23 34
Magnetic " " "	5,000 00	.....	5,000 00	77 82
N. Y. & Wash Print. Telegraph Co.	5,000 00	.....	5,000 00	77 82
N. Y. and New Eng Union Tel. Co.	2,500 00	.....	2,500 00	38 91
Adams Express Company.....	15,000 00	65,000 00	80,000 00	1,245 14
American " " "	20,000 00	.....	20,000 00	311 28
Harnden's " " "	3,000 00	.....	3,000 00	46 69
Hopes' " " "	2,000 00	.....	2,000 00	31 12
Kinsley & Co. " " "	3,000 00	.....	3,000 00	46 69
National " " "	3,000 00	.....	3,000 00	46 69
United States " " "	10,000 00	.....	10,000 00	155 64
Wells, Fargo & Co. " " "	25,000 00	.....	25,000 00	389 11
American European Joint Stock Ex- press and Exchange Company....	10,000 00	.....	10,000 00	155 64
Delaware and Hudson Canal Co....	100,000 00	.....	100,000 00	1,556 44
Ocean Steam Navigation Company.	599,400 00	.....	599,400 00	9,329 29
Pacific Mail Steam Ship Company..	500,000 00	.....	500,000 00	7,782 20
N. Y. and Liverpool Mail S. S. Co..	1,132,000 00	.....	1,132,000 00	17,618 90
Carried forward.....	\$78,493,794 27	\$7,408,980 00	\$85,902,774 27	\$1,336,888 40



INCORPORATED COMPANIES.	PERSONAL ESTATE.	REAL ESTATE.	TOTAL VALUATION.	AMOUNT OF TAX.
Brought forward.....	\$78,493,794 27	\$7,408,980 00	\$85,902,774 27	\$1,336,888 40
N. Y. and Virginia Steam Ship Co.	115,000 00	.....	115,000 00	1,789 90
N. Y. and Havre St. Navigation Co.	500,000 00	.....	500,000 00	7,782 20
N. Y. and N. O. Steam Ship Co....	200,000 00	.....	200,000 00	3,112 88
U. S. Mail Steam Ship Company...	100,000 00	.....	100,000 00	1,556 44
N. Y. Floating Derrick Company...	60,000 00	.....	60,000 00	933 86
N. Y. Balance Dry Dock Company..	200,000 00	.....	200,000 00	3,112 88
N. Y. Floating " " ..	200,000 00	14,990 00	214,990 00	3,346 18
N. Y. Screw " " ..	59,000 00	.....	59,000 00	918 29
Small Bal. Dock, Foster & Withmill	1,000 00	.....	1,000 00	15 56
Congress Rubber Company.....	75,000 00	.....	75,000 00	1,167 33
New York " " ..	125,000 00	.....	125,000 00	1,945 55
Union " " ..	277,093 00	15,000 00	292,093 00	4,513 82
North Am. Gutta Percha Company,	77,480 00	.....	77,480 00	1,205 91
Goodyears' Rubber Packing Co....	50,000 00	.....	50,000 00	778 22
Brooklyn White Lead Company....	4,000 00	.....	4,000 00	62 25
Union " " " ..	86,038 00	.....	86,038 00	1,339 12
Saugerties " " " ..	35,000 00	.....	35,000 00	544 75
Brooklyn Oil Company .....	2,000 00	.....	2,000 00	31 12
Manhattan " " ..	50,000 00	.....	50,000 00	778 22
Phoenix Oil and Candle Company...	40,000 00	.....	40,000 00	622 57
Judds' Linseed and Sperm Oil M. Co.	100,000 00	.....	100,000 00	1,556 44
N. Y. and Erie Railroad Company .	.....	225,000 00	225,000 00	3,501 99
Hudson River " " ..	90,000 00	459,720 00	549,720 00	8,342 02
Harlem " " ..	50,000 00	631,300 00	681,300 00	10,475 68
N. Y. and N. Haven " ..	.....	126,000 00	126,000 00	1,961 10
Second Avenue " " ..	160,000 00	8,000 00	168,000 00	2,611 70
Third " " " ..	189,856 00	40,300 00	230,156 00	3,504 18
Sixth " " " ..	192,809 00	60,500 00	253,309 00	3,786 97
Eighth " " " ..	250,270 00	66,900 00	317,170 00	4,821 73
Knickerbocker Stage Company .....	200,000 00	.....	200,000 00	3,112 88
N. Y. Consolidated " " ..	200,000 00	.....	200,000 00	3,112 88
Brooklyn Ferry Company .....	44,829 00	.....	44,829 00	697 73
Hoboken " " ..	.....	23,000 00	23,000 00	357 98
Jersey City " " ..	.....	23,000 00	23,000 00	357 98
Newark " " ..	.....	9,000 00	9,000 00	140 07
N. Y. Gas Light Company.....	308,287 00	564,210 00	872,497 00	13,672 50
Manhattan Gas " " ..	1,252,088 00	1,203,700 00	2,455,788 00	38,500 24
Grocers' Steam Sugar Refining Co..	150,000 00	164,500 00	314,500 00	4,894 90
N. Y. " " " " ..	161,442 00	206,212 00	370,654 00	5,737 85
Knickerbocker Ice Company.....	88,000 00	10,700 00	98,700 00	1,536 18
New York " " ..	76,000 00	.....	76,000 00	1,182 89
American Fur Company.....	.....	14,000 00	14,000 00	217 90
American Hair " " ..	5,000 00	.....	5,000 00	77 82
N. Eng. Car Spring Company .....	465,387 00	67,000 00	532,387 00	8,286 20
N. Y. Metallic Car Spring Company	5,000 00	.....	5,000 00	77 82
N. Y. Teeth Manufacturing Co....	1,650 00	.....	1,650 00	25 60
Silk Manufacturing Company.....	12,000 00	.....	12,000 00	186 77
Croton " " ..	5,050 00	14,000 00	19,050 00	296 48
N. Y. Brass Manufacturing Co.....	.....	30,000 00	30,000 00	466 93
Brayton Wrought Nail Manf. Co...	61,000 00	.....	61,000 00	941 42
Salamander Grate Bar " " ..	50,000 00	.....	50,000 00	778 22
Spring Valley Lead & Shot M. Co..	.....	8,500 00	8,500 00	117 40
Bridgewater Company.....	.....	5,000 00	5,000 00	77 82
Hudson County Paint Manuf. Co...	42,200 00	.....	42,200 00	656 81
American Nautilus Submarine Co...	62,000 00	.....	62,000 00	964 99
Larchers Gutta Percha Life B't Co.	53,000 00	.....	53,000 00	824 91
Pettingill Teleg'h Revolv Pistol Co.	10,000 00	.....	10,000 00	155 64
N. Y. Gas Regulator Company. ....	5,000 00	.....	5,000 00	77 82
U. S. Steam Cutting Company.....	250,000 00	.....	250,000 00	3,891 10
N.Y. and Farmington Coal Company	10,000 00	.....	10,000 00	155 64
Carried forward.....	\$85,304,273 27	\$11,399,512 00	\$96,703,785 27	\$1,504,668 63

INCORPORATED COMPANIES.	PERSONAL ESTATE.	REAL ESTATE.	TOTAL VALUATION.	AMOUNT OF TAX.
Brought forward.....	\$85,304,273 27	\$11,399,512 00	\$96,703,785 27	\$1,504,668 63
Boardman Coal Burn. Loc. Boiler Co.	2,600 00	.....	2,600 00	40 46
N. Y. and Hudson River Company..	5,000 00	.....	5,000 00	77 82
Harlem and N. Y. Navigation Co..	18,000 00	.....	18,000 00	241 25
Harlem Bridge Company.....	.....	6,000 00	6,000 00	85 03
Tontine Company .....	.....	175,000 00	175,000 00	2,723 77
Butchers' Hide Association... ..	.....	8,500 00	8,500 00	132 29
Butchers Melting Association.....	.....	13,200 00	13,200 00	186 89
Architectural Iron Works.....	30,700 00	.....	30,700 00	477 82
Manhattan Iron Works.....	23,044 00	12,000 00	35,044 00	469 66
N. Y. Wire Railing Company.....	5,000 00	.....	5,000 00	77 82
Mortimer Marble Company.....	.....	400 00	400 00	5 36
Marble Stone Carving Company ....	10,000 00	.....	10,000 00	155 64
Mastarson, Smith and Sinclair, Stone Dressing Company.....	53,000 00	109,000 00	162,000 00	2,521 37
Mitchell, Bailey & Co., an Incorpo- rated Stock Company of the State of Connecticut .....	25,000 00	.....	25,000 00	389 11
New York Brick Company.....	50,000 00	.....	50,000 00	778 22
New York Dying Company.....	33,516 00	18,000 00	51,516 00	801 80
TOTALS.....	\$85,560,133 27	\$11,741,612 00	\$97,301,745 27	\$1,513,832 94



STATEMENT No. 17.

RELATIVE VALUE OF THE REAL AND PERSONAL ESTATE IN THE CITY AND COUNTY OF NEW YORK, AS ASSESSED IN 1856 AND 1857.

WARDS	ASSESSMENTS OF 1856.			ASSESSMENTS OF 1857.			TOTAL.		INCREASE.		DECREASE.		TOTAL.	
	REAL ESTATE.	PERSONAL ESTATE.		REAL ESTATE.	PERSONAL ESTATE.		1856.	1857.	REAL ESTATE.	PERSONAL ESTATE.	REAL ESTATE.	PERSONAL ESTATE.	INCREASE.	DECREASE.
1	\$37,192,580 00	\$60,089,013 00		\$37,937,067 00	\$61,752,499 00		\$97,281,593 00	\$99,689,566 00	\$744,487 00	\$1,663,486 00			\$2,407,973 00	
2	22,787,925 00	6,773,172 49		23,449,566 00	7,471,425 00		29,561,097 49	30,920,991 00	661,641 00	698,252 51			1,359,893 51	
3	22,723,288 00	9,341,631 00		24,222,956 00	9,638,612 00		32,064,919 00	33,861,568 00	1,499,668 00	296,981 00			1,796,649 00	
4	9,449,070 00	1,758,545 00		9,442,270 00	1,772,995 00		11,207,615 00	11,215,265 00		14,450 00			7,650 00	
5	14,282,450 00	1,953,992 00		14,839,550 00	1,511,209 00		16,236,442 00	16,350,759 00					114,317 00	
6	9,567,324 00	1,530,422 00		10,444,350 00	964,851 00		11,097,746 00	11,409,201 00					311,455 00	
7	12,574,698 00	3,328,166 12		12,794,975 00	3,274,490 12		15,902,864 12	16,089,465 12					166,601 00	
8	16,162,969 00	2,907,358 55		16,473,072 00	2,199,206 00		19,070,327 55	18,672,278 00						\$398,049 55
9	13,899,000 00	3,081,875 58		13,988,400 00	2,745,541 00		16,980,875 58	16,733,941 00						246,934 58
10	8,281,500 00	1,083,484 11		8,377,800 00	1,038,195 00		9,364,984 11	9,415,995 00						
11	7,634,000 00	847,545 42		7,705,500 00	829,940 00		8,481,345 42	8,535,440 00						
12	7,391,285 00	758,075 00		7,366,694 00	767,319 00		8,149,360 00	8,134,013 00		9,244 00				15,347 00
13	5,121,400 00	515,100 00		5,156,086 00	627,264 00		5,636,500 00	5,783,350 00		112,164 00				
14	10,261,400 00	2,254,423 00		10,609,600 00	2,751,487 00		12,515,823 00	13,361,087 00		497,064 00				
15	25,691,500 00	21,991,129 00		26,019,350 00	20,991,084 00		47,682,629 00	47,010,434 00						672,195 00
16	15,565,200 00	3,539,588 56		15,830,400 00	4,143,369 27		19,104,788 56	19,973,769 27		603,780 71				
17	15,821,379 00	5,725,736 21		17,028,179 00	4,919,536 00		21,547,115 21	21,947,715 00						
18	32,954,350 00	16,792,442 00		33,205,780 00	15,581,238 00		49,746,792 00	48,787,018 00						
19	8,041,183 00	1,560,000 00		8,558,654 00	699,165 00		9,601,183 00	9,257,819 00						
20	14,304,950 00	1,019,250 00		14,895,100 00	975,200 00		15,324,200 00	15,870,300 00						
21	21,025,025 00	6,586,092 00		24,124,000 00	5,858,968 00		27,611,117 00	29,982,968 00						
22	10,239,022 00	730,675 90		10,489,454 00	474,870 00		10,969,697 90	10,964,324 90						
Non-residents,....		18,600,265 00			17,227,986 00		18,600,265 00	17,227,986 00						
	\$340,971,498 00	\$172,767,781 94		\$352,958,803 00	\$168,216,449 39		\$513,739,279 94	\$521,175,252 39		\$3,895,422 22			\$11,449,289 48	\$4,013,317 03

Valuation of 1857.....	\$521,175,252 39	Total Valuation in County.....	\$521,175,252 39
“ 1856,.....	513,739,279 94	“ “ Lamp District.....	505,517,999 39
Increase over 1856, \$7,435,972 45		“ “ south of Forty-second street	496,570,685 39
		Less Decrease.....	4,013,317 03
		Total Increase.....	\$7,435,972 45

## STATEMENT No. 18.

## THE LOWBER JUDGMENT.

## OPINION OF JUSTICE ROOSEVELT, ON PRELIMINARY OBJECTIONS.

A motion is made, on behalf of the Comptroller, as the chief financial officer of the city, and as a citizen and tax-payer, and one of the members of the corporate body denominated "the Mayor, Aldermen and Commonalty," the ultimate of which, in effect is, to obtain a perpetual stay of proceedings on a judgment for about \$200,000, entered up, as he in substance alleges, by a quasi confession, without any just or real cause of action against the city.

The preliminary objections are raised:

*First*—That the presiding judge is not holding a court, and,

*Secondly*—That the applicant has no standing in court.

The answer to the first objection is, that by the 41st section of the Code it is declared, that every application for an order is a motion, and that motions, in the First Judicial District, with one exception, (which this is not,) may be made "to a judge or a justice, out of court."

As to the second objection, it is contended that the Comptroller, whether officially or individually, cannot be heard on mere affidavits; that he must file a regular formal bill of complaint, and that such bill must be filed on behalf of all other tax-payers as well as himself.

Whether a person not a direct party to a confessed judgment, but complaining of its injurious operation on his interests, shall be heard summarily, on informal affidavits, or be put to the more tedious remedy of a bill in equity, depends, according to the settled practice of the court, upon the special circumstances of each particular case, to be judged of after the affidavits on both sides have been read.

The more usual course in modern times, especially in this state, has been to grant the same relief on motion, as might be obtained on formal suit.—4 Johns' C., 191; 2 Kernan, 215.

If the facts can be sufficiently ascertained from the affidavits, a duplicate suit is unnecessary. But, if on the papers presented, the facts are involved in doubt and contradiction, the court may either



order a reference, where a cross-examination of the witnesses can be had, or leave the parties to a formal bill of complaint, with its consequent pleadings, issues and trial by jury or otherwise, as the law may require.

To determine, therefore, the course to be taken, it is obvious that all the papers must first be read.

#### OPINION AND DECISION OF JUDGE ROOSEVELT.

A judgment has been entered up (by collusion it is alleged, on the part of the public authorities, or some of them,) in the records of the court, on the report of a referee, for about \$200,000, to be levied, of course, out of the property of the city, including whatever funds may come into the treasury from taxation, to the great prejudice of the citizens generally, and especially of those whose earnings are to be assessed to satisfy this unjust demand.

On an affidavit of the facts, as he understood them, the Comptroller of the city applied to one of the judges of the court, and obtained an order to stay all further proceedings, and to compel the parties to show cause why the judgment so entered should not be set aside, and a proper defence be made to the action.

At the day appointed cause was accordingly shown, and a large portion of a week was consumed in its discussion. Among other papers presented by Mr. Lowber's counsel, and relied on by him, was a written document, prepared in open court, signed "Richard Busteed, Attorney for defendants," and "John M. Barber, Attorney for plaintiff," dated after the order to show cause, whereby it was "stipulated that the motion made herein, to let the defendants into a further defence in said cause, and to amend their answer therein, be denied." This paper, as it appeared to the court, was of itself wholly insufficient for the purpose intended; and while furnishing no adequate-ground for denying the motion for relief, it suggested the most conclusive reason for permitting it to be made by the Comptroller, whether in his official capacity as head of the "Finance Department" of the city, or in his individual capacity of a corporator and contributor to its

revenues. It showed, especially in connection with Mr. Busted's affidavit, that the Aldermen and Councilmen were opposed to any defence being made, and that the "Law Department," under their direction, entertained the same views. If, therefore, the case as alleged, was one of gross injustice to the tax-payers, they had no alternative but a resort to direct intervention, or to that of another department of the city government, or to both. And, what officer, for this purpose could be more appropriate than the chief of the "Department of Finance," having, by the terms of the charter (§ 22,) "control of all the fiscal concerns of the Corporation." It is an erroneous impression, although a very prevalent one, that the members of the Common Council constitute the Corporation. The city of New York, in the language of the Dongan Charter, "is an ancient city, and the *citizens* of the said city have anciently been a body politic and corporate;" and in the language of the Montgomerie Charter, it was, "the *inhabitants* and *citizens* of said city," whom the crown "thought fit" to constitute "a body politic and corporate, by the name and style of the Mayor, Aldermen and Commonalty of the city of New York." It is the "citizens" and not the Aldermen and their associates merely, who form the corporators, and, in their aggregate character, the Corporation Aldermen, like other officers, are elected, not to supersede, but to aid the citizens in "the better government of the city;" and, so far as questions of property and revenue are concerned, they may be likened to directors of banking and railroad companies. They are trustees of the common fund, of which the citizens are the stockholders, or, as the law expresses it, the *cestui qui trusts*.

Mr. Flagg, then, in both his capacities, certainly in one or other of them, having from necessity a right to be heard, the question is, taking all the evidence together on both sides:—What is the case presented, and is it of sufficient magnitude and public importance to warrant a departure from the ordinary course of the judicial action?

The expediency of establishing a great market at the foot of Seventeenth street, on the East river, was a matter purely of legislative discretion. In the exercise of this discretion, although at the instance



of certain petitioners whose names do not appear in the papers before me, the Common Council, on the 13th of August, 1856, by resolution, "authorized and directed the Comptroller to advertise for proposals for a block of ground, and to report the same in thirty days, to the Common Council, for its further action." Among the proposals sent in was one dated November 6, 1856, from Mr. Lowber, for two blocks between Sixteenth and Seventeenth streets, east of Avenues C and A, including the bulkhead on the river, for \$196,000, free of all incumbrances except taxes. And subsequently, in February of the present year, a resolution was passed by the two Boards, but neither approved nor disapproved by the Mayor, "directing the Comptroller to purchase without delay, the Lowber lots for \$196,000; the property to be conveyed by a good and sufficient warranty deed, free and clear of all liens and incumbrances, except taxes *and assessments*, upon the title to the said premises being approved by the Counsel to the Corporation."

The resolution also "appropriated" \$196,000 for the purpose, provided that the taxes and assessments to be assumed should not exceed \$2,500.

On the passage of this resolution, as soon as the ten days had elapsed to render it operative without the express approval of the Mayor, Mr. Lowber immediately prepared and executed a deed, dated and acknowledged 10th of March, and submitted it to the Corporation Counsel for his approval. It is suggested that Mr. Busteed, at the time, was lying on a bed of sickness. In six days, nevertheless, a remarkable instance, certainly, of expedition in such matters, his indorsement was procured certifying that "he had examined the title, and approved the same."

By the terms of the resolution, the Comptroller, it will be recollected, was *to make* the purchase. It was not made by the mere passing of the resolution. The Common Council were no doubt aware that a "purchase" was a contract, and that all contracts in such cases were required by law, (sec. 23, act of 1849,) to be made "by the appropriate heads of departments."

The Common Council as they did, might direct the Comptroller to make a contract, and if without good cause, he refused, they might (through the Court) compel him by mandamus. But until he made or was compelled to make the contract, no contract existed, and neither Lowber nor the city was bound. Lowber, notwithstanding, without consulting the Comptroller, and seemingly considering his intervention, and any financial difficulties which he might suggest, such for instance as an empty treasury, without money to "appropriate," or a recent judicial decision against the title, as matters of no consequence, immediately, "on the same day," as he says himself, tendered his deed and demanded the consideration money, and although, as he admits in his complaint, both the Mayor and the Comptroller, "wholly refused to accept such deed, or in any way to recognize or complete said purchase," he insists that the purchase was made, and demands judgment, that the Corporation be compelled to "accept and receive the said deed, or such other suitable and proper assurance of the said premises as the court may approve, and to pay the said \$196,000, with interest from the 16th of March, 1857, and in all things specifically to execute the aforesaid contract of sale."

On the statements in Lowber's complaint, the title, it is obvious, whatever it may be, still remains in him. Deeds take effect by delivery. Without acceptance there can be no delivery. A tender, merely, passes no title. The complaint admits there was no acceptance of the deed. Had there been, the action, instead of assuming the shape of an equity suit for a specific performance, would have been a common suit for money due. It assumes, therefore, that the contract, if any, was unexecuted, and it shows as clearly, in my opinion, that none was ever finally made. Details, as every one knows, are incident to such contracts. They must first be settled by a contracting officer and the party. A disagreement as to these, may, and often does take place. Until adjusted, there may be general proposals, but no binding engagement.

The complaint, as it seems to me, for these and other reasons, might have been demurred to; and had it been brought before the court in



that form, would, I think, have been dismissed without requiring any further answer. A demurrer however, was not interposed.

But the objections, being not formal but substantial, going to the foundation of the action, were not waived by the omission. They might still be taken by answer; and even after answer, and without answer or demurrer. The code (§ 148) provides, that "the objection that the complaint does not state facts sufficient to constitute a cause of action," shall not be deemed to have been waived, even by its omission, in both demurrer and answer.

The answer which was put in, so far as relates to matters of fact, confined the defence to a few simple objections:

*First.* That at the time of the passage of their resolution directing the Comptroller to make the purchase, and professing to appropriate the requisite amount, and ever since, there were no moneys in the treasury to meet such an appropriation, or out of which it could be paid, and no power under existing laws to borrow the same; and

*Second.* That, although the Common Council, after passing their resolution, had applied to the legislature for authority to raise by loan the requisite funds, that body had adjourned without granting the request.

From the pleadings it will be seen, in connection with affidavits to which I shall presently advert, that there was at that time no question of fact really in dispute. The code, (§ 270,) unless by consent of both parties, impliedly prohibits "a reference" in "cases where the investigation will require a decision of difficult questions of law." It assumes that the judges, specially chosen and commissioned for that purpose, are the proper persons to determine such matters; and that there is neither necessity nor fitness in subjecting the parties, or either of them, to the heavy expense of appointing a judicial substitute for the occasion. In the present instance, however, a different course was taken; and, on the application of the attorneys on both sides, ■ reference was directed to Mr. Sickels, "to hear and determine" the whole matter; who, on the 12th of June, among other things, reported:

"I find generally, that each and all the several facts set forth in the complaint, (it will be observed, the *facts* were not disputed,) are true as therein stated, and upon the facts so found by me, my conclusions of law, are" as follows:

*First.* That the plaintiff Lowber, by all that had occurred, had become "legally and equitably bound" to convey.

*Second.* That the defendants in like manner had become legally and equitably "bound to receive and accept the said deed from him, and to pay to the plaintiff the sum of \$196,000, with interest from the 16th of March, 1857;" and

*Third.* That the plaintiff is entitled to a judgment in "this action for the said sum of," &c., "amounting in all to \$199,353 77, together with his costs," &c.

On this report, and on the same day of its date, without the intervention of any judge of the court, (none being required by law in such cases,) a judgment was entered up in favor of Mr. Lowber against the city for \$199,910 71; leaving the title to the lots, (as I understand the facts, and as I believe to be their legal effect,) still in him, as well as possession of the rejected deed, which had been tendered by him to the Mayor and Comptroller for their acceptance; an omission the more remarkable when it is recollected that the proceeding was not a common law suit, but a bill in equity for the specific performance of an alleged executory contract.

It now appears further, (for such is the clear preponderance of the affidavits,) that the value of the property—its market value I mean, and not as some of the plaintiffs affidavits express it, "its value for market purposes," was enormously exaggerated.

But the more decisive objection, unanswerable, as it seems to me, in every view of the case, is the fact that long before the Law Department gave its certificate, the Superior Court, at special term, as respects more than two-thirds of the property, had in effect pronounced the title bad. Mr. Lowber's counsel, it is true, while admitting that



Mr. Justice Hoffman, in the decision given by him, "was of a different opinion," says: "I have never been able to concur in the views taken;" but he adds, in the document signed by him and his associates: "The case, referred to is now before the general term of the Superior Court for review; and its decision, (when rendered,) may throw further light upon the subject, if the court find it necessary to determine the question." Strange as it may seem, a strangeness only to be accounted for by the then recent illness of the head of the Law Department, the pressure of business upon him, and the consequent necessity of relying upon professional clerks and assistants, this document, with the notification I have cited from it, was submitted, and bears date a few days before the certificate was given. The appeal, too, from Judge Hoffman, was not only pending, but had been elaborately argued, and, it was supposed, would shortly be, (as it was in July following) decided;—a decision which, as the counsel thought it might, did "throw further light on the subject." It affirmed the decision of Mr. Justice Hoffman, and showed that though Mr. Lowber's counsel did "not concur in the views taken by the learned judge," his colleagues did.

The decision of the general term of the Superior Court, it may be said, was not pronounced, and of course was not known, till some months after the title in this case was passed, and even some weeks after the judgment in the present action was entered. But that fact, while it affords matter of vindication to the Corporation Counsel, is at the same time, of itself, a sufficient reason, under the circumstances, for opening the judgment;—a reason, as it seems to me, not only sufficient, but controlling—leaving, in any just view of the subject, no alternative. To say that the citizens in such a case, are to hazard more than half a million of dollars, the probable cost of land and market, and that there is no relief, would be monstrous. The proposition shocks all our notions of law and of judicial proceedings, and especially when broached in a court having, by the constitution, "general jurisdiction in law and equity."

"As matter of law," says the counsel of the city in his second point, "I deny that the Corporation can be ordered by this or any court to

defend a suit." The Counsel seems to forget that if the Corporation (by which he means the Aldermen, and other officers of the Corporation,) cannot be ordered to defend a suit—the corporators may be permitted to do it for them; and that if the court cannot compel the Corporation to resist an unjust claim, it can refuse to permit its records to be used as the machinery for enforcing it.

If this were not so, of what avail would be the legislative restrictions on the power of contracting debts, and on the power of exercising executive functions? All the property of the city, and all its revenues, past, present, and prospective, from taxation or otherwise, might be disposed of without appeal, by a single act of mortgage or conveyance, clothed in the form of a concerted judgment—a judgment, at the most, nominally defended, but really confessed—and of which, as in this case, the court itself, without its knowledge, might be made to figure as the innocent author.

As matter of law, I deny that the *court* can be made, and thus in effect "ordered" by the boards of direction, by whatever name called, of this or of any corporation, thus to lend its aid to violate the law, and ruin the corporators. Nor is it true, either that the Corporation Counsel, in the defence of suits in this court brought against the city is subject to the absolute orders of the two boards, and "only responsible" to them. Although, in the loose language of ordinary discourse, the Aldermen and Assistant Aldermen are commonly called the "Corporation," they are in fact, only its legislative, as distinguished from its executive organs. The Corporation of the city, as we have seen, consists of the whole body of the citizens. The citizens are the *quasi* stockholders. The "charter officers," whether legislative or executive, including the "Head of the Law Department," are merely the agents and trustees of the citizens, and all ultimately responsible to them.

It is an error on the part of the Corporation Counsel to assume, as he does in his third point, that he is "responsible only to his client," and that that client is the Common Council, as distinguished from the "commonalty." His office is the direct gift of the people, made elect-



ive for the express purpose of putting an end to the subserviency previously supposed to exist, and of creating a check or counterpoise in its stead. Nor is this all; the Corporation Counsel, when conducting the prosecution or defence of a suit in court, is an officer of the court, and as such, and like any other attorney in like case, responsible to the court. Although subject, within certain limits, to the legally authorized resolutions of the Common Council, while acting in his general character of "Counsel to the Corporation;" when acting as an attorney of the court, he is subject to the rules and regulations of the court, and with this intimation will, I have no doubt, be "perfectly prepared (see his communication) to perform any duty which such a result, or the office he holds, may devolve upon him."

SUPREME COURT ORDER.

September 28th, 1857.

Robert W. Lowber *against* The Mayor, Aldermen and Commonalty of the city of New York.

Present:—Hon. J. J. ROOSEVELT, *Justice*.

A motion having been made in this action on the part and behalf of Azariah C. Flagg, Comptroller, of the city of New York, and a tax payer of the said city, to set aside the judgment in this action, and the same being opposed as well by the plaintiff as by the defendants, by Richard Busteed, Esq., Counsel for the Corporation, and the plaintiff having also objected to the said Comptroller's appearing to make said motion, and moved to dismiss said motion on that ground, which motion was denied; and now on reading and filing said writs and papers in support of said motion, and affidavits and papers in opposition thereto, and after hearing Mr. Whiting on behalf of the Comptroller, and Mr. Busteed for the defendants, and Messrs. Noyes and Field counsel for the plaintiff.

It is ordered that the judgment entered in this action be, and the same is hereby set aside and vacated, together with the execution and all proceedings thereon; and that the answer in this action, interposed by the said Corporation Counsel, be, and the same hereby is also set aside, together with the stipulation to refer the order of reference,

report thereon, and the order affirming the said report, and that another answer in the said action be prepared by the said Corporation Counsel within twenty days, to be approved by the said Comptroller, to be interposed and filed in lieu of the preceding answer, unless the said Comptroller, within thirty days from this date, shall elect, as he may, officially, and as a tax payer and corporator, or otherwise, on behalf of himself and others, to file an original complaint, setting forth such matters, and making such parties, and praying such relief in the premises as he may be advised.

---

### STATEMENT No. 19.

#### SUPREME COURT—GENERAL TERM.

*Lowber against The Mayor, &c., of the city of New York.*

OPINION BY JUDGE CLERKE.

December 7, 1857.

I presume that it will not be disputed, even by the counsel for the plaintiff, that it belongs to the essential inherent powers of this court, to exercise such an efficient control over every proceeding in an action pending in it, as effectually to protect every person actually interested in the result from injustice and fraud; and that it will not allow itself to be made the instrument of wrong, no less on account of its detestation of everything conducive to wrong than on account of that regard which it is proper it should entertain for its own character and dignity. And it will not only rectify proceedings of this nature, when brought to its notice by the intervention of any person having an interest in the result, whether formally a party to the action or not, but it is the solemn duty of every judge upon the bench to employ a vigilant eye, without waiting for the suggestion of others for the purpose of avoiding and detecting the perpetration of wrong which may be attempted by the instrumentality of legal forms.

And this vigilance should be exercised through every stage of the action, from the issuing of the summons to the levying of the execution. This superintendence, and this exercise of power, should indeed be regulated by a sound discretion, and with the utmost caution. Rules,



orders and decisions of the court, deliberately made, should not be lightly disturbed. As a general rule, none but parties to an action will be allowed to meddle with its management, or will be recognized as having any standing in court, in relation to it. When the litigants consist of adults, not under restraint and not insane, acting in their own right, the presumption that every man is the proper director of his own interests, and the serious inconvenience that would ensue from allowing the unsolicited interference of persons not interested, render it expedient that the court shall lend no attention to any but the parties on the record. But even this rule must yield to the circumstances of the case. Even adult parties, apparently acting in their own right, and presenting themselves apparently in the adverse position of plaintiffs and defendants, may, by seeming to adjust only their mutual rights, compromise very seriously, and perhaps irrecoverably, the rights of others.

The familiar instance referred to on the argument will at once present itself. Where one party confesses a judgment without consideration, or for too large an amount, or when it is not made in strict compliance with the directions of the code, the judgment will be set aside on the application of a party not named on the record, but who is a creditor of the defendant. Now, on what principle is this interference allowed? Is it merely because the moving party has also obtained a judgment against the defendant? Even if this were the precise reason, it would be a very palpable instance of recognizing the right of a person not a party to the record to claim the interposition of the court in regard to it. But the reason of allowing this has no such restricted limits. In the particular instance referred to, indeed, the court will only hearken to a judgment creditor, because it is expedient, to have his claim judicially established before it will be judicially recognized.

But the broad reason for the interference of the court is, that the plaintiff and defendant, in the fraudulent confession of judgment, have by their combined action, employed its forms to accomplish an act which affects the interests of persons having an interest in the dis-

position of the property affected by the judgment; and whenever this is done, the court has the essential inherent power to interfere, although, as a general rule, as I have said, in order to avoid confusion and contention, it will not do so when the parties to the record are adults, acting in their own right, and are free from restraint.

On the general principle which I have stated, the court would never allow a trustee to concede away any portion of the trust estate without ample consideration; and if he was a defendant in an action, and was about compromising the rights of his *cestui que* trust, by a confession, by letting a judgment go by default, or by carelessness, or even by a palpably mistaken view of his duty, the court, at the instance of the person having the beneficial interest in the controversy, would interpose. The power of a trustee over the estate vested in him exists only for the benefit of the *cestui que* trust, and in equity trusts are so regarded that no act of a trustee will be recognized as valid which is calculated to prejudice the *cestui que* trust, although a purchaser without notice will be protected. Courts are equally jealous in watching all the acts of a trustee by which the interests of the trust may be compromised. The instances quoted by the plaintiff's counsel, in which the court refused to recognize the acts of unauthorized persons to bind parties to a suit, have no application to this case. If the Comptroller attempted, during the progress of the suit, to consent, of his own accord, to a reference or an arbitration without any authority from the defendants, of course the consent would not be binding on them, and would be entirely void; but by this application he does no such thing. As a tax payer, and as an officer of the Corporation, particularly identified with the administration of its financial concerns, he presents himself before this court, and informs us that the defendants, who are in fact the mere trustees of the property and the other interests of the people of this municipality, the corporators of whom it is composed, are, by their conduct in relation to the plaintiff's demand, wasting the property of their *cestui que* trusts. It is not necessary to suppose that this is a case of bribery or corruption on the part of the individual members of the Common Council, or of



any other officers of the city government, or that the Counsel of the Corporation has intentionally betrayed the city.

It requires much stronger proof than I have discovered in the papers before me, to induce me to believe that he for a moment contemplated any injury to his constituents. That officer, and even the members of the Common Council, may be sincerely of opinion that to litigate this claim would involve the city in considerable expense without any reasonable hope of ultimate success; and indeed, that seems to be the conviction of many others who cannot be suspected of any unworthy motives to influence their opinion. But it is enough for us on this appeal to be convinced that the court below had the power to interfere, and that the evidence of the facts on which it might rightfully interfere is such that if they had been presented to a jury and the jury had found the same way, their verdict would be sustained. The title of the plaintiff had been condemned by one court as to part of the property to be sold, and is now subject to doubts which can be removed only by a judicial investigation. On the evidence a jury might have found, as the court below has, that the value of the property was excessively overrated. The objection that by the terms of the resolution of the Corporation the contract was not then complete, but was to be made in form by the Comptroller, also deserves consideration. These matters seem to have been overlooked at the trial. As they should be re-examined, we express no formal opinion upon them. The form of the judgment is also incorrect. The payment by the defendants should have been required on the plaintiff's executing and delivery to the defendants (or filing in court for them if they refused to receive it,) a warranty deed of the premises, free from all incumbrances (except as excepted in the contract,) and with a good title in all other respects. Justice to all parties would be best promoted by modifying the order below, and allowing the answer and subsequent proceedings to be set aside, provided the Comptroller or any other tax payer, who may be substituted in his place, shall, within thirty days from a written notice of the entry of this modified order, file an original complaint as a tax payer, corporator or otherwise, on behalf of himself and others, setting forth such matters and making

such parties and praying such relief in the premises as he may be advised. In the meantime, let the plaintiff's proceedings in this action be stayed, and if another suit shall be commenced, as above provided for, let the plaintiff's proceeding be further stayed until the final decision of the other suit. Let the plaintiff in the new suit give security in the sum of five thousand dollars.

---

STATEMENT No. 20.

THE LOWBER JUDGMENT.

MOTION TO DISSOLVE THE INJUNCTION DENIED.

The People, &c., *against* R. W. Lowber, the Mayor, &c.

BY JUDGE DAVIES.

I regard the complaint in this cause as amended by striking out therefrom the words, "on the relation of." It therefore stands as a suit wherein the People, &c., and Azariah C. Flagg, corporator and tax-payer, are parties plaintiff.

The order made at the General Term of the Supreme Court on the 7th of December, 1857, in the case of Lowber against the Mayor, &c., declares that the answer interposed in that case, and all subsequent proceedings therein, including the recovery of the judgments mentioned therein, were set aside and vacated, provided the Comptroller or any other tax-payer or corporator should, within thirty days after the service of that order, file and serve an original complaint as a tax-payer, corporator or otherwise, on behalf of himself and others, setting forth such matters, and making such parties, and praying such relief as he may be advised, together with a bond as thereafter provided; and in the mean time all proceedings in that action were stayed. And it was further provided, that if such action should be commenced, then that all proceedings therein should also be stayed until the final judgment in this action, provided a bond was given to Mr. Lowber, in the sum of \$5,000, conditioned to pay him all damages which he might sustain by reason of the commencement of this action. It appears from the papers before me that the time limited for the commencement of the suits, by the order of the General Term, expired on the 30th day of January last. That the complaint in this cause was



filed in the Clerk's office, on the 29th day of January last, together with the bonds or undertaking required by said order. That on the same day the summons and complaint were served on the Mayor of the city, but that ineffectual attempts were made to serve the same on that day and the succeeding, on the defendant, Lowber. I cannot doubt that the order of the General Term, requiring an original complaint to be filed and served within thirty days, has been complied with, and that, that condition having been fulfilled, the order of the General Term, which directed the answer and all subsequent proceedings, in the case of Lowber against the Mayor, &c., including the judgment, to be set aside and vacated, took effect according to its terms, and the same were accordingly set aside and vacated. It cannot be said that that order has not been complied with, because the people have been made parties plaintiffs with the tax-payer and corporator. Permission was expressly given by the General Term to the tax-payer and corporator, of making such parties in the suit to be instituted as he might be advised. It was, therefore, perfectly proper for him to make the people parties to the action; and if they, by their proper officer, consented to be made parties plaintiffs, rather than defendants, there can be no objection to such a procedure.

It was further urged that the order of the General Term required a bond to be executed on the commencement of the suits, and that that provision of the order has not been complied with, by the execution of an undertaking. The court manifestly intended to require security to the party stayed in the suit pending against the Corporation, and whether it is called a bond or an undertaking is a matter of no moment. It is the substance we are to look at. Has Mr. Lowber received the security contemplated by the order of the General Term? Undeniably he has, and whether it is in the form of a bond, as used under the old system of practice, or that of an undertaking, known and exclusively used under the new, is not a just cause of objection. He has the security required by the order, and which will be effective for him in case the contingency arises in which he can use it. All the conditions required by the order of the General Term having, in my judgment, been complied with, is the order of Justice Ingraham, made on the 30th of January, correct?

If I am right in the view I have expressed, it was not necessary, as the order of the General Term stayed all proceedings in the suit therein referred to, and as soon as this suit was commenced there was no longer any judgment or execution to be stayed. The argument, therefore, that such order was irregular, because a bond in accordance with the provision of the Revised Statutes, was not given, has no force. This court, by virtue of the control and authority which it has over its own proceedings and records, has set aside and vacated the judgment mentioned in the complaint in this cause, whether right-fully or not, is not for me to say. Such, I understand to be the order of the General Term, and as long as it remains unreversed it is binding upon this court. The injunction order, therefore, should, in my judgment, have been to restrain any further proceedings in the suit instituted by Mr. Lowber, against the Corporation, until the final determination of this suit, and the injunction order will be modified accordingly. The complaint presented good grounds for such an order, being in furtherance of that made at the General Term, and the undertaking executed and filed was all the security required by the Code. The motion to vacate the injunction order in this case, made January 30, 1858, is denied, but the same is to be modified according to the suggestions above.

---

#### STATEMENT No. 21.

##### AWARD FOR LAND ON WARD'S ISLAND.

We, the undersigned arbitrators, having been duly appointed, to ascertain, award and determine as to the value of certain property, consisting of lands and water-rights, claimed to be owned by Alexander McCotter, situate on Ward's, (formerly Great Barn) Island, and offered for sale by said McCotter, to the city of New York, pursuant to a resolution of the Board of Councilmen, passed on the twenty-second (22d) day of October, one thousand eight hundred and fifty-seven (1857); and by the Board of Aldermen of said city, on the thirty-first (31st) day of December, one thousand eight hundred and fifty-seven (1857,) and approved by the Mayor of the said city, on the said thirty-first (31st) day of December, one thousand eight hundred and fifty-seven (1857); S. Benson McGown having been appointed such arbi-



trator on the part of Alexander McCotter, and C. P. Schermerhorn. on the part of the said city, pursuant to the said resolution so passed and approved as aforesaid.

Now, therefore, we the said arbitrators, having had submitted to us, for our consideration and award, the value of said lands and water-rights of said McCotter, so offered for sale to said city, and having examined and inspected the same, and having heard the proofs and allegations concerning the said value, and having duly considered the same, and mature deliberation being thereupon had, do find, award, adjudge and determine the value of the upland owned, or claimed to be owned, by the said McCotter, or to which he may furnish a good and valid title, and situate on said island, consisting of thirty-one (31) acres, one (1) rood, thirty (30) perches, be the same more or less, to be of the value, and to be worth the sum of twenty-five hundred (\$2,500) dollars per acre.

And we, the said arbitrators further find, award, adjudge and determine the value of the water-rights, and land owned, or claimed to be owned by said McCotter, or to which he may furnish a good and valid title, situate on said island aforesaid, and lying between high water mark and the bulkhead line, as established by the Harbor Commissioners, the same consisting of forty-eight (48) acres, three (3) roods, sixteen and one quarter ( $16\frac{1}{4}$ ) perches, be the same more or less, to be of the value, and to be worth the sum of one thousand (\$1,000) dollars per acre; said lands and water-rights of the said McCotter, so awarded, adjudged and valued as aforesaid, being numbered, described and designated upon a certain map of said island, prepared by Kurth & Rosa, Civil Engineers and Surveyors, which said map accompanies this report, and forms a part thereof.

In witness whereof, we have hereunto subscribed these presents, this thirteenth day of February, one thousand eight hundred and fifty-eight.

S. B. MCGOWN,  
C. P. SCHERMERHORN.

In presence of  
JOHN H. COLGATE.

## STATEMENT No. 22.

This statement shows the results of the investigations made in the Finance Department by A. S. Cady and R. A. Storrs, under the direction of the Comptroller, between the 26th of December, 1857, and the 30th of April, 1858.

These examinations relate principally to the books and vouchers connected with assessment contracts, which have for the last two years been kept by J. B. Smith.

Soon after the examination was commenced, a fraud was discovered in one of the confirmed assessments, by the addition of \$10,000 to the transcript on the ledger, purporting to be a true copy from the original assessment roll. This induced a comparison of all the transcripts on the ledger with the assessment rolls confirmed by the Common Council during the year. The whole number of assessment rolls confirmed in 1857, was 144: on comparing these as transcribed on the ledger, with the original record of assessments confirmed, as kept by the assessors, the transcripts on the ledger kept in the Finance Department were found correct, with the single exception before referred to. The entries of payments to contractors on the ledger were found to correspond with the amounts confirmed, except in the one case before alluded to. The payments to surveyors and assessors, were also found to correspond with the confirmed rolls. In six cases the inspectors appear to have been paid an amount exceeding the sums put in the assessment rolls, equal to a total of \$1,235 91. The Collectors of Assessments have not presented their accounts, or drawn their fees for the year. The total amount of assessments confirmed in the year 1857, is \$559,212 50.

The transactions connected with the monthly payments of seventy per cent. on assessment contracts, under the ordinance of December 30th, 1854, present many cases of irregularity and fraud.

In order to ascertain the condition of the accounts connected with the works in progress, on which payments were made monthly, it was deemed necessary, in many cases, to have the wholework re-measured



by a competent surveyor, to test the accuracy of the monthly measurements of the surveyors, on which the seventy per cent. payments were based; in making these re-surveys, the Comptroller engaged the services of Daniel Ewen and John J. Serrell. The surveyor in charge of work of this description possesses advantages in making measurements which the surveyor who follows him after the work is done, does not possess; an exact correspondence therefore in measurements made under circumstances so dissimilar, is not to be expected. In the measurements of Vidall and Dryer, when compared with those made by Ewen and Serrell, the disparity is so great on the works of which the former have had charge, as to be wholly irreconcilable with the belief that they were honestly made; this is most conclusively shown by a comparison of the two surveys on Fifty-second and Fifty-seventh streets, from the Third to the Fifth avenue, and on Fifty-fifth street, from the Third avenue to the East river.

*Regulating Fifty-second street, Fourth avenue to East river.*

On the 29th of October, 1856, a contract was made by Joseph S. Taylor, then Street Commissioner, with Charles Devlin, to regulate Fifty-second street, from Fourth avenue to East river.

The total amount of work on this street, covered by five certificates of Mr. Vidall, the surveyor on the job, and the Street Commissioner or his deputy, amounted to \$22,790 00.

The whole sum paid on the five requisitions on this job, amounted to \$18,617 00.

The last payment made on this job was September 11th, 1857.

In the month of October, the Comptroller requested Daniel Ewen to make an examination of the work done, and to report in writing, which was done October 24th, 1857. It appears by the report of Mr. Ewen, that the amount of work done up to the time of his examination, would entitle Mr. Devlin to the payment of \$14,365 60. The preceding comparison does not include a certificate of the surveyor on the work, dated November 28th, 1857, which amounted to \$10,631 12. It is worthy of particular notice in this case, that on the certificates

of the Surveyor and Street Commissioner or his deputy, the payments of seventy per cent. already made, exceed the whole amount of work done, as estimated by Mr. Ewen, (not including, however, the last certificate of Mr. Vidal, the surveyor on the job.)

*Regulating Fifty-seventh street, Third to Fifth avenue.*

On the 27th day of July, 1854, a contract was made by James Furey, then Street Commissioner, with John Quinn, to regulate Fifty-seventh street, from Third to Fifth avenue. The contract appears to have been assigned to the Bowery Bank, and the work done by Charles Devlin, by an arrangement with the bank.

The total amount of work on this job covered by eight certificates of P. H. Dryer, the surveyor on the job, and the Street Commissioner or his deputy, was \$76,406 45.

Seventy per cent. of the above sum is equal to \$53,484 53.

The sum paid on this job, if we include the sum of \$8,100, paid September 10th, 1857, and \$11,200 included in a payment of October 17th, 1857, neither of which sums were posted to Fifty-seventh street by Mr. Smith, is equal to a total of \$55,270 79.

In a report made to the Board of Councilmen, December 31st, 1857, in regard to Fifty-seventh street, it was stated that the payments made on this street amounted to \$35,970 79; these items were put into the report, as they were given to the Comptroller by J. B. Smith. In the recent examination, it satisfactorily appears that the sums of \$8,100 and \$11,200, above referred to, must have been based on the work done on Fifty-seventh street, as shown by the certificates of the Surveyor and Street Commissioner.

In confirmation of this, it is found that on the 19th of August, a certificate was presented on behalf of the Bowery Bank, with a certificate of the Surveyor and of Charles Turner, Deputy Street Commissioner, amounting to \$8,160.



On these papers, the Bowery Bank was paid, August 28th, an amount equal to seventy per cent., \$5,712.

Which was receipted by Enoch Dean, President of the Bank. On the presentation of this claim, the Comptroller directed Daniel Ewen to re-survey the whole work, and to report the quantities, with a view of testing the accuracy of the certificate of Mr. Dryer, the Surveyor, and Mr. Turner.

The parties interested in the payments of this job, doubtless apprehending that the report of Mr. Ewen would curtail the payments on Mr. Dryer's measurements, presented a claim under cover of the Bowery Bank, and obtained payment for the exact amount of the previous requisition of August 19th; for this payment, covering the full amount of the previous requisition, no receipt was taken, nor was it charged to Fifty-seventh street on the day book, or posted to any account on the ledger, and the combined parties were thus enabled, through the infidelity of the clerk in whom the Comptroller confided, to obtain for the Bowery Bank, on the 10th of September, a bond for \$8,100.

On the 17th of October, 1857, bonds were issued to the

Bowery Bank for.....	\$23,900 00
----------------------	-------------

The charges on the books kept by Mr. Smith, were for a

sewer.....	12,700 00
------------	-----------

This leaves the sum of.....	<u>\$11,200 00</u>
-----------------------------	--------------------

which appears to be charged to no particular job.

All these bonds were receipted for by John Branigan, for the Bowery Bank, under an order of Enoch Dean, the President, October 19th. On making inquiry of the Receiver of the Bank, it has been ascertained that all these bonds except \$8,000, were delivered to Charles Devlin, and in confirmation of this statement, we have the fact that two of these bonds, one for \$1,900, and the other for \$1,000, have been presented at the Comptroller's office to be transferred, by the person who leased or sold to Joseph S. Taylor, the house and lots where he resided, and which house and lots are now in the possession of Charles Devlin; and the person who presented the bonds, stated that he received them

of Charles Devlin, on account of the sums due to him by the arrangements made with Joseph S. Taylor for the said premises. Both of these bonds show that they were transferred to Charles Devlin by Enoch Dean, President of the Bowery Bank, on the very day they were issued.

Mr. Ewen's report of November 18th, 1857, embracing the eight certificates of the Surveyor and Street Commissioner, or his deputy, shows an amount of work done equal to \$51,875 00. This does not include a certificate of the surveyor on the job, December 8th, 1857, covering work to the amount of \$8,820.

The estimate of Mr. Ewen, it is to be understood, embraces 160,000 cubic feet of wall, equal to 6,000 cubic yards, which wall was not embraced in the original contract.

The measurement of quantities embraced in the contract as given by the Surveyor on the job, and Mr. Ewen, are as follows:

	Earth Filling.	Rock Excavation.
P. H. Dryer.....	137,040 cubic yards.	12,247 cubic yards.
D. Ewen.....	78,000       "	3,500       "
	<hr/> 59,040	<hr/> 8,747
The excess of earth filling, is.....	59,040	"
"       rock excavation.....	8,747	"

*Regulating and Grading Fifty-fifth street, Third to Fifth and Seventh to Eighth avenue.*

On the 21st day of November, 1855, bids were opened by James Furey, then Street Commissioner, to regulate and grade Fifty-fifth street, from Third to Fifth avenue and from Seventh to Eighth avenue.

The contract was made by Joseph S. Taylor, then Street Commissioner, May 5th, 1856, with Oscar Taylor. The specifications, compared with the estimates of Messrs. Ewen & Serrell, who were employed to examine the work, are as follows:

	Earth Filling.	Rock Exc.	Culverts.
Specification.....	62,400 cubic yards.	8,900 cubic yards.	110 feet.
Ewen & Serrell...	44,480       "	6,813       "	330       "
	<hr/> 17,920	<hr/> 2,087	<hr/>



The report of Messrs. Ewen & Serrell shows, that Mr. Vidal, in seven certificates, the last one being April 28th, 1857, accompanied in each case by a requisition of Joseph S. Taylor, or his deputy, Charles Turner, certified to 25,979 cubic yards of earth filling; to 3,974 cubic yards of rock, and 135 feet of culvert, more than had been done.

On the requisitions of the Street Commissioners, advances were made to the amount of \$15,450 74.

The estimate of work done, as reported by Messrs. Ewen & Serrell, amounted to \$17,897 35. This includes 681 feet of culvert, at \$20 per foot.

The specification on which the bids were computed, called for only 110 feet of culvert, which was increased, by the order of the Street Commissioner, and the culvert already paid for, exceeds, by 351 feet, the quantity considered necessary by Messrs. Ewen & Serrell.

A full statement of this case was reported by the Comptroller, to the Board of Aldermen, June 29, 1857.

*Regulating Fifty-seventh street, Ninth to Eleventh avenue—Curb, Gutter and Flagging Fifty-seventh street, Eighth to Eleventh avenue.*

On the 3d of December, 1856, a contract was made by Joseph S. Taylor, then Street Commissioner, with Oscar Taylor, to regulate, curb, gutter and flag Fifty-seventh street, Eighth to Eleventh avenue; by him assigned to Charles Devlin, and by him assigned to Christopher C. Ellis, who assigned the same to the Bowery Bank. Soon after the Bowery Bank went into the hands of John A. Stewart, as Receiver, application was made for a payment on this contract; before making this payment, the Comptroller had the work examined by Daniel Ewen, who reported, that the measurements of John T. Dodge, the Surveyor on the job, in three certificates made by him, were not materially different from the measurements made by himself.

The total amount of work done, as shown by Mr. Dodge, was equal to.....	\$15,972 00
Less thirty per cent.....	4,791 60
	<u>\$11,180 40</u>

On the 4th of December, 1857, a payment was made to Mr. Stewart of \$7,000, in assessment bonds, leaving, as was supposed, at that time, the sum of \$4,180 of the seventy per cent., or \$8,972 of the whole amount of work done.

After this payment was made to Mr. Stewart, it was discovered that the sum of \$3,993 66 had been paid to Mr. Ellis, October 9th, 1857. In this case, Mr. Ellis received bonds to the amount of \$3,300, which, as he says, were intended as an advance on his contract on Fifty-seventh street. No receipt was taken from him at the time, and Mr. Smith, instead of charging the bonds to the contract on Fifty-seventh street, made the following entry on his book, viz:

C. C. Ellis, Seventy-eighth street, Third and Fifth avenues, regulating:

Bond.....	\$3,300 00
Check.....	693 66
	<hr/>
	\$3,993 66

The charge in this form would not be posted to the contract of Mr. Ellis, on Fifty-seventh street; and when Mr. Ellis and the Receiver of the Bowery Bank came to the Comptroller's office to make a settlement under the assignment, the books appeared as if nothing had been paid on this job. On the computation made up from the surveyor's return, the Comptroller decided to pay only \$7,000, which was fifty per cent. on the whole amount of work done; and thus the account stood, until the examination showed the issue of bonds to Mr. Ellis, on Seventy-eighth street, where he had been fully paid. Mr. Ellis was then called on, and he has given a receipt for the bonds on Fifty-seventh street; and he says Mr. Smith did wrong in charging the bonds to the job on Seventy-eighth street.

At the same date of the bonds, a check was given to Mr. Ellis, for \$693 66. It has his endorsement on the back, and yet he declares that the avails were not received by him; but, as he does not explain who had the money, he will be required to pay the amount of the check in the settlement of his account on Fifty-seventh street, which is sufficient to cover that amount, after paying the sum due on the assignment.



This case most strikingly illustrates the object which Smith and his associates had, in charging to fictitious or paid up jobs, checks and bonds, which had been issued on jobs actually in progress. Thus, if this \$3,993 66, payable on Fifty-seventh street, and charged to Seventy-eighth street, had not been discovered, the account of Mr. Ellis with the Bowery Bank would have been paid, with a loss to the city, and a gain to the recipients of the bonds and check of \$3,993 66.

In the case of Terrence Farley, an examination has been made of four contracts, viz:

Regulating Fifth avenue, Forty-ninth to Sixty-first street.  
 Regulating Sixth avenue, Fifty-fourth to Fifty-ninth street.  
 Regulating Fifty-fifth street, Sixth and Seventh avenues.  
 Regulating Fifty-sixth street, Fourth and Fifth avenues.

On the Sixth avenue, a payment was made, October 20, 1857, of \$3,877 03, when Farley was only entitled to \$1,077 03, being an over-payment of \$2,800. On being called on, Mr. Farley proposed to settle the same, when the final certificate of the Surveyor was made. Within a few days the certificate has been furnished.

The total amount of work covered by the final certificate of the Surveyor, is.....	\$16,586 25
The total amount paid .....	<u>16,577 28</u>

By these operations, it will be seen that the contractor, instead of leaving in the hands of the Corporation a reserve of thirty per cent., has realized, at the time, within about nine dollars of the whole amount of work done, when the interest chargeable to the time on the confirmation of the assessment will amount to several hundred dollars.\*

\* On a re-survey of all the work done by Mr. Farley, on the Sixth avenue, by Daniel Ewen, he makes the total amount of the work done, equal to..... \$17,367 65

The final estimate of Mr. Graves, the Surveyor on the work, gives a total amount of.....	16,586 25
--	-----------

Excess, as shown by Mr. Ewen's survey.....	<u>\$781 40</u>
--	-----------------

On Fifty-sixth street, one payment was made October 16th, 1857, of \$8,438 77, being the total amount of the certificate furnished, when Mr. Farley would have been entitled to only seventy per cent., equal to \$5,938 77, and a receipt was given for the seventy per cent., but, on being called on, he has receipted for the total payment. This work is still going on.\*

This secures the city for the payment of \$8,438 77, on the 16th of October last, and leaves a balance in favor of the contractor of \$4,040 08.

A payment was made, October 2d, 1857, of \$3,196 10, to Mr. Farley, on Fifty-fifth street. This included \$2,077 30, charged for regulating the intersections of different streets not included in his contract, but which was done, as the contractor alleges, by the direction of Joseph S. Taylor, and afterwards by Mr. Devlin. Mr. Farley was, therefore, called on by the Comptroller, to receipt, on the contract for the amount thus paid to him on these intersections; this he has done. This makes the whole payment on Fifty-fifth street \$5,348 39; whereas, the certificates of D. Ewen, for the whole amount of work done, is only \$4,200, showing an overpayment on this work of \$1,148 39.†

\* Since the preceding statement was prepared, Mr. Ewen has surveyed the whole amount of work done on Fifty-sixth street, and the following is the result of his estimate, viz:

10,830 yards of rock excavation, at \$1.....	\$10,830 00
3,665 yards of earth excavation, at one cent.....	36 65
2,320 feet of curb and gutter, at 35 cents.....	812 00
9,840 feet of flagging, at eight cents.....	787 20
1,300 yards of gravel, at one cent.....	13 00
	<u>\$12,478 85</u>

† Mr. Ewen has since measured up the work on Fifty-fifth street, and the following is the result of his estimate:

Ten thousand yards of rock, at 99 cents.....	\$9,900 00
Two thousand yards of earth, at 49 cents.....	980 00
Total amount for work done .....	<u>\$10,880 00</u>



On the contract with Mr. Farley, for regulating Fifth avenue, from Forty-ninth to Sixty-first street, it appears by the certificate of the surveyor on the work, that there is a balance due Mr. Farley, after deducting the payments made, of \$8,711 51. It thus appears, that on the four contracts referred to, notwithstanding the irregular payments on some of them, an adjustment can be made on Mr. Farley's jobs, by the amount of work already done.

I have called on the Receiver, John A. Stewart, Esq., for a list of the notes discounted by the Bowery Bank, for James B. Smith, with the amounts, the name of the endorser, and for whom the notes were discounted; the list is as follows, viz:

Maker.	Discounted for.	When Discounted.	Amount.
J. B. Smith,	Charles Devlin,	January 15, 1856.....	\$300 00
Do.	do.	do. 18, " .....	75, 00
Do.	do.	August 22, " .....	500 00
Do.	do.	do. 22, " .....	600 00
Do.	do.	Nov. 11, " .....	600 00
Do.	do.	May 22, 1857.....	500 00
Do.	do.	June 16, " .....	4,258 00
Do.	do.	do. 23, " .....	4,307 67
Do.	do.	July 14, " .....	2,000 00
Do.	do.	August 12, " .....	5,000 00
Do.	do.	Sept. 1, " .....	5,000 00
H. Quackenboss &	J. B. Smith,	Chas. Devlin, May 22, '57.	200 00
C. Westcott, &	do.	do. " 22, "	419 50
			<hr/> \$23,760 17
H. Quackenboss,	J. B. Smith,	January 23, 1857...	250 00
Do.	do.	" 30, " ...	250 00
C. Westcott,	do.	July 31, " ...	670 00
			<hr/> \$24,930 17

It will be seen by referring to the preceding statement that the endorsements of Mr. Devlin commenced about the time that J. B.

Smith took charge of the books connected with the payment of assessment contracts. The transactions were limited to a few hundred dollars at a time, until the 16th of June, 1857, when the amount rose to \$4,258, and from that date to the 1st of September, a period of seventy-six days, Smith's notes, endorsed by Devlin, were discounted at the Bowery Bank to the amount of \$20,000, and of the large sum \$24,930 17, discounted on Smith's notes in two years, the sum of \$23,760 17 was done for Devlin, leaving a balance of \$1,170 for Smith.

The following amounts in checks or bonds have been paid on claims of the Bowery Bank, under pretence of contracts assigned to that bank, and which, in some cases, are charged on the books kept by J. B. Smith, to jobs over which the Bowery Bank never had any control, or to jobs that had previously been paid in full, viz:

August 29, 1857—Bowery Bank, assignee of P. Masterson, check No. 944, \$820 76, for regulating Fifty-sixth street, Fifth avenue and Broadway, endorsed by Enoch Dean, President.

October 9—Bowery Bank, assignee, check No. 1046.....	\$2,209 00
Bond.....	4,800 00

For balance reg. Forty-second st., Tenth av. to Hudson R..	<u>\$7,009 00</u>
--	-------------------

The whole amount is receipted for by John Branigan, and the check is endorsed by Enoch Dean, President, and Charles Devlin.

This precise sum, as the balance on the contract, was paid to the Mechanics' and Traders' Bank, February, 1857, on the same job, and it is not known that the Bowery Bank had any connection with that contract.

October 8, 1857—Bowery Bank, assignee, check No. 1055, \$354 30	
Bond.....	2,400 00

For balance Thirty-eighth st. sewer, Second and Third avs..	<u>\$2,754 30</u>
---	-------------------

This check is endorsed by Enoch Dean, President, and Charles Devlin.



October 19, 1857—Bowery Bank, check No. 1060, \$2,146 65, for amount collected, Fortieth street sewer. This check is endorsed by Enoch Dean, President.

October 19—Bowery Bank, check No. 1072, \$1,756 71, for amount collected on Forty-eighth street paving. This check is endorsed by Enoch Dean, President. This contract had been assigned to the Bowery Bank by Hugh McCabe, but was paid in full February 2, 1857.

July 27, 1857—An assessment bond for \$2,900, was directed to be made to P. Connolly, and was assigned so that the bond was issued directly to the Bowery Bank, for flagging Fifty-fifth street, First and Third avenue. This Bond was assigned by Enoch Dean, President, to the Manhattan Savings' Institution, August 14, 1857.

The contract for flagging Fifty-fifth street, First and Third avenues, appears to have been assigned by D. Gallagher, and paid in full to the Mechanics' and Traders' Bank, December 31, 1856.

The total payments to the Bowery Bank as shown in the items before named is \$17,387 42.

All the preceding payments but one, were in the month of October, the very month the Bowery Bank failed; and several of these transactions were after the appointment of N. G. Bradford as receiver.

It is worthy of remark, also, that as soon as the affairs of the Bank went into the hands of Mr. Stewart, a petition was presented to the Supreme Court by Mr. Fitzpatrick, the general assignee of all the contracts of Charles Devlin, claiming that the contracts in the hands of the Bowery Bank, should be re-assigned; and an order for such re-assignment was made about the 20th November, 1857.

It is thus seen that the preceding payments to the Bowery Bank, apparently based on assignments in its hands, so far as they were connected with contracts in which Fitzpatrick or Devlin had an interest, were placed beyond the reach of the receiver of the bank.

February 25, 1857—A check, No. 129, for \$3,742 86, payable to Henry Bigelow, assignee, for paving, curb and guttering, &c., Thirty-sixth street, Eighth and Ninth avenues, is endorsed by "Charles Devlin, assignee."

We do not find that any contract, as described in the check, has been performed since 1852.\*

On the 2d of February, 1857, payments appear to have been made as follows:

To Henry V. Archer, for regulating Thirty-seventh street, Ninth to Tenth avenues, on account.....	\$786 43
Do. balance.....	532 18
	<u>\$1,318 61</u>

The above payments were charged upon the check book, and were checked as having been passed to the appropriate job, but no such assessment or work is found to correspond with the page of the ledger, or the work to which the payment can be made to apply.

Both these checks bear an endorsement of H. V. Archer, and by the entry of the bank where they were deposited, appear to have been passed to the credit of J. B. Smith.

The above items, amounting to \$22,448 89, do not include two bonds of \$5,000 each, and a check for \$5,790 91, which are now under investigation before the Recorder.

In this aggregate of \$22,448 89, it will be seen that the sum of \$17,000 was paid to the Bowery Bank; but instead of being charged on the books kept by Smith, to any of the numerous contracts in pro-

---

\* NOTE.—There was an entry on the back of this check, in the hand-writing of Smith, and signed by the Comptroller, as follows: "This may be paid to the order of Charles Devlin, assignee." When this check was found, it was supposed that an assignment had been made to Devlin by a responsible person by the name of Bigelow, who supplies contractors with large quantities of flagging. This person, however, has been consulted since this report was prepared, and states that no such assignment was made by him.



gress, for which the bank had assignments, they were charged in some cases to jobs over which the bank never had any control, in others, to jobs which had been assigned to the bank, but which had been paid in full, and in others, to jobs which do not appear to have any existence.

On the two contracts assigned by Charles Devlin to the Bowery Bank, more than \$20,000 have been paid for retaining wall, which it is believed was not included in the original contract, although it now appears in the record book of contracts in the Street Department. The Comptroller addressed a note to Mr. Devlin, asking him to furnish a copy of the agreement for the construction of the wall, but to this request no reply has been received.

The preceding statement is limited to the payments on account of assessment contracts for the year 1857. Similar examinations for the years 1856 and 1855, and a general examination, going back to the commencement of year 1854, have since been completed.

The examination for the year 1856, shows that the assessment contracts confirmed by the Common Council in that year numbered two hundred and eight, amounting to the total sum of \$514,845 55.

The transcripts made from the confirmed assessments upon the ledger kept by J. B. Smith have been compared with the record kept by the assessors, and are found in every instance to correspond with that record.

The payments on these confirmed contracts, so far as the contractors, assessors and surveyors are concerned, correspond with the sums in the assessment rolls.

The total amount paid inspectors in 1856, is..... \$21,834 50

Whilst the sum included in the assessment rolls confirmed

in the same year, for the pay of inspectors, is only.. 9,357 28

Showing that the sum paid from the treasury, on account

of inspectors, beyond the amount that will be re-

imbursed, if all the assessments are collected, is..... \$12,477 22

In the semi-annual report from this department, September 21, 1854 (Document 54, of Councilmen), the Comptroller stated the amount paid to inspectors, for the Street Department, at \$30,105 50 for the preceding twelve months, and added that the employment of inspectors in the Street Department was of no practical benefit to the property holders or the city.

On the 24th of October, 1855, the Common Council passed a resolution to discontinue the employment of inspectors in all contracts for regulating and grading streets, setting curb and gutter stones, flagging sidewalks, filling sunken lots, fencing vacant lots, and digging wells.

On the 28th of April, 1856, a resolution was adopted by the Common Council, rescinding the repealing resolution before referred to, and authorizing the appointment of inspectors in the Street Department.

On the 28th of May—one month after the approval of the resolution by the Mayor—the bills of inspectors paid were eighty-six in number, amounting to \$2,417 25. On the 23d of July, another requisition, covering the pay of one hundred and twenty-seven inspectors, and amounting to \$2,921 50, was paid. The drafts on the treasury were so excessive from the multiplication of inspectors, that the Comptroller determined he would not pay the inspectors on jobs of \$10,000 and under until the work was completed, and the assessment confirmed, and then that the amount to be paid to the inspector should be limited to the sum put in the assessment roll. This practice was adhered to in 1857, and probably accounts for the small difference between the amount paid and the amount in the assessment rolls of that year on account of inspectors.

The following cases of fraudulent payments are found in 1856:

*Feb. 6th, 1856*—C. Devlin, assignee; check No. 154; for paving

Forty-seventh street, Third avenue to East river..... \$5,113 50

This was a second payment for the same work. The assessment



was confirmed December 2, 1855, and paid to the Bowery Bank, as assignee of P. Connolly, December 24, 1855.

*Dec. 10th*—E. L. Beebe, assignee; check No. 2870; flagging  
Thirty-fifth street, between First and Second avenues. \$1,166 02

This payment cannot be located, and no such work is found.

*Dec. 10th*—J. B. Floyd; check No. 2885; regulating and  
paving Eleventh avenue..... \$2,471 36

This payment cannot be located.

*Dec. 24th*—A. K. Williamson, assignee; check No. 2912.. \$1,258 68

Which appears to be a second payment for grading Eleventh street,  
Dry Dock street to East river.

This check bears also the endorsement of J. L. Miller. The original assessment was confirmed August 15, 1856, and paid to E. McGuire, the contractor, August 20th of the same year.

---

The examinations for 1855, show the assessments confirmed by the Common Council in that year to be two hundred and sixteen, amounting to the total sum of \$755,849 86.

The transcripts made from the confirmed assessments upon the ledger in the Finance Department, compared with the records kept by the assessors, are found to correspond. The payments on these contracts, so far as the contractors, surveyors and assessors are concerned, correspond with the sums in the assessment lists.

The following fraudulent payments are found in 1855:

*Curb, gutter, and flagging Eighty-second street, Second and  
Third avenues.*

On the 3d of February, 1855, James Furey, then Street Commissioner, made a requisition on the Finance Department, as follows:

“Curb, gutter, and flagging Eighty-second street, from the Second to Fourth avenue.

“This is to certify, that the contract for the above work was awarded to Bernard McCabe, and that the same has been completed to the satisfaction of this department; and that there is now due on account thereof to the said Bernard McCabe, or to his assigns, the sum of three thousand three hundred and fifty-seven dollars and fifty-nine cents . . . . . \$3,357 59  
 Less 15 per cent. . . . . 513 37  
 \$2,854 22

And is payable to the Bull's Head Bank.”

This payment was made under an ordinance passed October 13th 1852, for the payment of 85 per cent. on the contract, when the work was completed, by check No. 387, for \$2,854 22, which was delivered to President Williamson, by N. A. Beach, as appears by the Auditor's book, and is endorsed by C. S. Vanderhoff, Cashier of the Bull's Head Bank. It does not appear that the reserve of 15 per cent. was paid on the confirmation of the assessment, but on the 2d of April, 1855, only two days after the confirmation, the Street Commissioner, James Furey, certified to the Finance department, as follows:

“Contract to curb and gutter and flag Eighty-second street, Second to Fourth avenue.

“This is to certify that the contract for the above work was awarded to B. McCabe, and that the same has been completed to the satisfaction of this department, and that there is now due on account thereof to the said B. McCabe, or his assigns, the sum of three thousand three hundred and fifty-seven dollars and fifty-nine cents, (\$3,357 59,)” which sum was paid April 2d, 1855, by check No. 797, for \$3,357 59, being the whole amount of the contract.

This check was delivered, as appears by the Auditor's book, to President Williamson, but is endorsed by Bernard McCabe, to whose order it was made payable, and to whom the Street Commissioner certified the same to be due; both these requisitions before given, are filled up in the handwriting of Charles Turner, who had particular charge of all payments on contracts, and of keeping the accounts of payments made on them.



The over-payment in this case is 85 per cent. on the whole amount of the contract, equal to \$2,854 22, and all done in a period of fifty-six days.

*Regulating Fifty-fifth street, Fifth and Sixth avenues—P. MASTERSON, contractor.*

On the 27th October, 1854, the assessment for regulating Fifty-fifth street, Fifth to Sixth avenues was confirmed by the Common Council. The contract amounted to the sum of \$4,964 82. On the 28th of October, a requisition was made on the Finance Department, for the full payment of the contract, and is signed by Charles Turner, Deputy Street Commissioner; payment was made on this requisition October 30th, 1854, by check No. 3,253, \$4,964 82, to the order of P. Master-son and M. Tracy, executors, and is endorsed by them as executors. On the 22d of December, 1854, a requisition was made out in the hand-writing of Charles Turner, and signed by James Furey, then Street Commissioner, and a list made up in the hand-writing of Mr. Mathews for a payment on the contract with Masterson to regulate Fifty-fifth street, Fifth and Sixth avenues, of \$1,700.

On the 26th December, a check was drawn in the hand-writing of Mr. Beach, No. 3,614, for \$1,700, to the Bowery Bank, assignee, which was delivered to Charles Turner, (as appears by the Auditor's book,) by the Assistant Auditor, Mr. Beach, and is endorsed by N. G. Bradford, Cashier.

On the 30th of April, 1855, a payment was made to P. Masterson, by check No. 1,095, for \$3,264 82, upon a requisition from the Street Commissioner, as follows:

“ Requisition for pay, of May 2d, 1855—Trust Account—Regulating and Paving Streets, &c.—Contractor, P. Masterson, per Bowery Bank; Regulating Fifty-fifth street, Fifth and Sixth avenues, \$3,264 82.”

This requisition appears to be in the hand-writing of W. H. Mathews, the clerk of Mr. Turner. On the back of this check a memorandum was made, in the hand-writing of Charles Turner, as a voucher to the Comptroller that he held an assignment of this contract to the Bowery

Bank, and this memorandum of Mr. Turner is signed, "A. C. Flagg," which check was then delivered to Enoch Dean, President of the Bowery Bank, who receipted for the same; and the check is endorsed by N. G. Bradford, Cashier.

The two checks of December 22, 1854.....	\$1,700 00
And April 30th 1855.....	3,264 82
	<hr/> \$4,964 82

Made the exact amount which had been paid on the 30th October, 1854, upon the requisition signed by Charles Turner, Deputy Street Commissioner. The over-payment in this case is for the whole amount of the contract, equal to \$4,964 82.

*Contract for regulating and grading Forty-fifth street, Second avenue to East river.*

On the 28th October, 1854, a requisition was signed by James Furey, Street Commissioner, for the sum of \$19,406 39, which embraced, as shown by list annexed thereto, the sum of \$11,117 02 on a contract of Edward Dennis, confirmed September 12th, 1853, for regulating Forty-fifth street, from the Second avenue to the East river.

A warrant was drawn on the treasury, (No. 3,170,) payable to the order of Edward Dennis, for the sum of \$11,117 02; this warrant was delivered to Enoch Dean, President of the Bowery Bank, as shown by an entry in the Auditor's book, in the hand-writing of Mr. Timpson. The following memorandum was made by Mr. Turner, on the back of this check, and signed by himself and the Comptroller, viz:

"The within amount is payable to the Bowery Bank, assignee of Edward Dennis. This assignment is on file in the Street Department. Charles Turner, Deputy Street Commissioner; A. C. Flagg, Comptroller."

On the 15th of February, 1855, a requisition was signed by James Furey, Street Commissioner, for the sum of \$12,269 02. It is shown by the list accompanying this requisition that it embraces a second payment to the Bowery Bank, for the same sum, which was paid on a requisition of the 28th October, and a warrant, the 30th of October



1854, for regulating Forty-fifth street, from the Second avenue to the East river. The entry on the list is as follows:

“ Edward Dennis, per Bowery Bank—regulating Forty-fifth street, Second avenue to East river, \$11,117 02.”

On this second requisition a warrant was drawn, (No. 422,) dated February 19, 1855, for the exact sum, \$11,117 02, previously paid to the Bowery Bank, as assignee of Edward Dennis. This warrant as appears by the Auditor's book in the handwriting of the Assistant Auditor, Mr. Beach, was delivered to Enoch Dean, President; and it also appears by the book kept by Mr. Turner, in the Street Department, that the check was paid to Enoch Dean, in that department. This check also was endorsed by N. G. Bradford, Cashier of the Bowery Bank.

This shows a double payment on the same job of \$11,117 02. Both requisitions were made out in the form used for drawing on the appropriation for “Streets Paving,” previous to the adoption of the 70 per cent. ordinance.

NOTE.—The Comptroller has had an interview with Edward Dennis, who finished the contract, and in whose name it was confirmed, in September 1853. It appears, however, that the original contract was made with Lynch & Hagan, March 21st, 1850, but the first payments were made to Dennis, directly, or through the Bowery Bank, to wit:—

January 21, 1854, Dennis .....	\$2,000 00
March 20, “ Bowery Bank.....	1,000 00
October 30, “ “ “ .....	11,117 02
	<hr/>
	\$14,117 02

Mr. Dennis states that the whole amount received by him from the Bowery Bank and from the city, was the above sum, being the amount as confirmed in the assessment roll. The second payment seems to have been obtained by the President of the Bowery Bank, as a double payment, to the amount of \$11,117 02, on the original assignment of Mr. Dennis, which had once been paid in full, and this sum went to the Bowery Bank, as shown by the endorsement of the check by the cashier.

Under date of January 31, 1855, an entry is made in the Auditor's book, for check issued for \$778 19 to the Bowery Bank, for interest due the contractor on this contract. This check is entered on the book of checks paid by the treasury bank, as returned under date of March 1st, 1855, but the check is not found in the Auditor's Bureau.

The 159th section of the ordinance of 1849, under which the preceding requisitions were drawn, both of which were signed by James Furey, provides as follows, viz:

“All moneys payable by the Corporation, for the performance of the contracts mentioned in the last section, or for work done under any Bureau in the Street Department, shall be paid by the warrant of the Comptroller, drawn upon the requisition of the Street Commissioner, against the appropriation applicable thereto; and all such contracts and the accounts, vouchers and certificates relating thereto, shall be kept and filed in the office of the Street Commissioner.”

This ordinance, it will be seen, required all the accounts and vouchers in relation to contracts, to be kept in the Street Department; and the Finance Department was not furnished, even with a copy of the original contract. In February 1854, the Comptroller called the attention of the Common Council to this subject, in Document No. 16, Board of Aldermen, as follows:

“It is necessary to the proper settlement of accounts, that copies of all contracts made by any of the departments, should be filed in this department. When payments on contracts are made by instalments, reserving 10 per cent. as authorized by the second section of the ordinance, which took effect on the 1st January, 1852, (page 16 of ordinances relating to contracts,) it will be necessary to open an account both in the Disbursing Department, and by the Auditor, in the Finance Department; and when the Auditor's Department is fully organized under the new charter, such an account should be opened with every contract of every description.”

The ordinance of December 30, 1854, authorizes and requires the Comptroller to pay assessment contracts on being furnished with a copy of the original contract, and a certificate from the head of the department, showing the amount of work done, and the sum due the contractor. It also required the Comptroller to make monthly advances of 70 per cent. on the certificates of the head of the Contracting Department, and to charge the contractor with interest, at the rate of 7 per cent. per annum, on the sums thus advanced, to be adjusted



on the confirmation of the contract, and to be paid from the reserve of 30 per cent.

In executing this ordinance the Comptroller directed a set of books to be kept, for the purpose of opening an account with every assessment contract, and, if these books had been honestly and faithfully kept, they would have protected the city against the frauds which are shown to have existed for many years, and which rapidly increased towards the close of the year 1857.

### STATEMENT No. 23.

#### CENTRAL PARK AWARDS UNSETTLED, JANUARY 1, 1858.

W. Fink.....	\$975 00	Brought forward...	\$9,935 07
C. Burtiss.....	356 25	Geo. Aulenbacken ...	570 00
M. J. Leon .....	2,350 00	Henry Vandewater...	10 00
John Weitstich.....	317 50	W. E. Spaulding ....	4,180 00
H. Boker.....	680 00	Thomas Trevor.....	900 00
H. Schnitker.....	3,295 00	William Brandon....	212 50
People of the State of		Elias Davison.....	12 50
New York.....	3 40	J. McLinden, Jr.....	1,590 00
E. Bernheimer.....	286 25	M. Coulter.....	190 90
J. W. Pryor .....	15 00	J. J. Levy.....	1,282 50
George Cornell.....	0 02	John Kelly.....	110 00
J. W. Hawks .....	72 50	James Gallagher.....	16 25
J. Murphy.....	100 00	Jacob L. Bach.....	195 00
H. Moses .....	30 00	John Quackenbush...	1 00
John Caffrey.....	32 50	Heirs P. Doherty ....	21,857 00
C. F. Hobe.....	62 50	W. S. Wright .....	3,283 00
H. B. Jones.....	362 50	C. Schuman.....	1 00
H. Harris .....	432 50	John Brenan.....	105 00
Joseph Muldoon.....	11 25	Alexander Smith ....	2 50
H. McLean .....	520 00	Margaret Witworth..	645 00
Jacob Harsen .....	0 90	Thomas Glennon.....	680 00
H. Kneubell.....	32 00	William McCrudden..	42 28
Carried forward..	\$9,935 07	Carried forward...	\$45,821 50

Brought forward...	\$45,821 50	Brought forward...	\$56,707 96
D. Thomas.....	16 15	John Orser .....	510 00
Joseph Murray.....	216 96	M. Zabriskie.....	1,399 09
George H. Moller ...	2 00	J. J. Radcliff .....	16 00
J. K. Riggs.....	60 00	M. Ahearn.....	20 00
E. Anderson, Jr.....	7 50	J. Ray .....	25 00
J. Salmon .....	16 25	W. T. Graff.....	0 15
D. Gilmartin.....	27 50	Eli Bennett .....	50 00
J. Dowling .....	3 10	F. P. Schowles.....	1,830 00
J. K. Hora .....	246 00	T. J. Powers.....	355 00
J. D. Stantial .....	1,000 00	Watt & Pinckney....	1 00
Heirs James Hall ....	1,725 00	Estate A. Hopper....	395 00
J. M. Pease.....	5 00	John Farrell.....	60 00
Mary A. Campbell...	6,035 00	C. G. Gent.....	416 00
G. M. Wilkins .....	700 00	Heirs A. Scovell ....	355 00
Elij. Harding .....	1 00	M. G. Pinckney .....	213,660 00
Ada Thompson.....	325 00	Sisters of Charity....	85,651 00
Heirs Sarah Hunter ..	500 00	H. Riley.....	2 50
Carried forward...	\$56,707 96	Total.....	<u>\$361,453 70</u>

## STATEMENT No. 24.

DEPARTMENT OF FINANCE—COMPTROLLER'S OFFICE,  
NEW YORK, January 22, 1858.

*To the Hon. A. C. Flagg, Comptroller:*

STATEMENT OF ALLOWANCES OR REMISSIONS OF RENT MADE TO LESSEES OF DOCKS  
AND SLIPS, FROM JANUARY 1 TO DECEMBER 31, 1857.

1857.

FOR DREDGING.

May 8, H. B. Cromwell, on north half pier 12, and half bulkhead, and east half of pier 13, and half of bulkhead, North river .....	\$420 00
May 30, G. C. Byrne, per H. P. Farrington, pier 33, foot of Jay street.....	281 25
Carried forward.....	<u>\$701 25</u>



Brought forward .....	\$701 25
July 13, Dayton and Benedict, 30 days lost time, dredg- ing south side pier 45, North river.....	254 17
For taking off ridge between 43 and 44 North river.....	234 07
Aug. 13, H. P. Farrington, on piers 33 and 39, foot of Laight and Perry streets, North river.....	432 00
Oct. 17, On pier 50 Morton street, North river, in part..	1,525 00
Dec. 16, J. T. Sandford, pier 14, North river .....	440 00
	<hr/>
	\$3,586 49
	<hr/>

## FOR REPAIRS AND MATERIALS.

Feb. 10, H. A. Williams per H. T. Williams, on piers 33, 34 and 37 East river.....	250 94
Mar. 3, Stevens, Condit & Co., on pier 20 North river..	49 95
May 30, G. C. Byrne, per H. P. Farrington, pier 33, foot of Jay street, part expenses.....	400 00
July 13, Dayton & Benedict, on piers 43, 44, 45, 46 and 47, North river .....	6,343 88
Aug. 11, H. A. Williams, per H. T. Williams, 33, 34 and 37, East river.....	219 23
Sept. 1, Stevens, Condit & Co. on Pier 20 North river..	162 38
Oct. 22, J. M. Donnelly & Co., Penfield, Day & Co., on pier 35 Franklin street, North river .....	144 46
Nov. 11, H. A. Williams, per H. T. Williams, part of expense of sheathing, &c.....	1,224 62
	<hr/>
	\$8,795 46
	<hr/>

## FOR DAMAGES BY FILLING IN, REBUILDING, INCUMBRANCES, &amp;C.

Feb. 19, P. A. Dougherty on south side of Pier 61 and bulkhead; bulkhead north side Rivington street; both piers foot of Delancy street, and both piers foot of Broome street East river .....	946 00
Carried forward.....	\$946 00

Brought forward.....	\$946 00
Feb. 27, Jonas Sparks on pier 34, North river, for rebuilding and getting possession late in season.	1,408 54
May 7, H. A. Williams on piers 33, 34 and 37 East river for damage by ice, &c.....	378 39
May 20, Stevens, Condit & Co., on pier 20 North river, for damages by the elements.....	103 57
Aug. 13, Archer Martine, on north half of pier 52 North river, 28½ days for steamer to tow out mud scow .....	570 00
Aug. 21, Geo. Brown, on pier foot of Fifth street, East river, for rebuilding, &c.....	110 00
Nov. 4, H. P. Farrington, on pier 50 foot of Morton street North river, for damages by being used for night soil, and not having possession.....	4,800 00
Dec. 3, Geo. Brown, on pier foot of Stanton street, East river, for rebuilding, &c.....	220 00
	<u>\$8,536 50</u>

## RECAPITULATION:

Amount allowed for dredging.....	\$3,586 49
“ “ “ repairs and materials.....	8,795 46
“ “ “ damages, rebuilding, &c.....	8,536 50
	<u>\$20,918 45</u>

Total amount of rent collected *in cash* for Docks.

Piers and Slips, during year ending December

31, 1857.....\$159,799 37

Respectfully submitted,

JOSEPH ROSE,

*Collector of City Revenue.*



## STATEMENT No. 25.

## FERRY RENT.

LESSEE.	LOCATION.	RENT.	EXPIRES.
EAST RIVER.			
Smith & Bulkley, per Union Ferry Co.	Catharine Street .....	16,000 00	1863
Fulton & Union, Ferry, Co.....	Fulton and Whitehall streets..	35,000 00	1861
Williamsburgh Ferry Co.....	Grand street and Peck slip...	9,000 00	1859
Houston street Ferry Co.....	Houston street.....	6,500 00	1863
A. H. Shultz, per G. L. Knapp.....	14th street and Greenpoint...	250 00	1865
J. H. Martine, per Union Ferry Co.....	Roosevelt street.....	3,000 00	1867
A. J. Berry, and J. J. Hicks, per Brook- lyn Ferry Co.....	Pier No. 35.....	3,000 00	1868
J. Sharp, per Union Ferry Co.....	Wall street.....	5,000 00	1862
St. Patrick's Cathedral, per G. L. Knapp	23d street.....	100 00	1863
Stephen Halsey.....	Hell Gate, 86th street.....	50 00	1867
J. L. Smith.....	Staten Island .....	5,100 00	1865
A. W. Winants.....	34th st. to Hunter's point, L.I.	100 00	1867
James Wilson.....	Jackson street to Hudson av...	500 00	1868
NORTH RIVER.			
Jersey City Ferry Co.....	Cortlandt street.....	5,000 00	1866
J. C. & R. L. Stevens .....	Barclay street.....	100 00	1865
Do. do. ....	Hoboken street.....	600 00	1860
Do. do. ....	Christopher street .....	350 00	1862
S. V. D. Laing.....	39th street.....	{ 1st 5 years, \$100 2d 5 years, \$200 }	{ 1862 1864 }
Pavonia Ferry Co.....	Chambers street.....	9,050 00	
Henry Conklin.....	86th street and Bull's Ferry..	No rent to be charged until 86th street is regulated.	
J. H. Youmans, per Dayton & Benedict.	North half of pier No. 43.....	1,250 00	1859
Francis Price .....	42d street.....	50 00	1866

Respectfully submitted,

JOSEPH ROSE,

*Collector of City Revenue.*

## STATEMENT No. 26.

## DETAIL OF RECEIPTS

*Of the Commissioners of the Sinking Fund for the redemption of the City Debt, for year ending 31st, 1857.*

## BUTCHERS' STANDS.

Received from Catharine market.....	\$1,977 66
“ “ Clinton “ .....	1,716 98
“ “ Centre “ .....	1,656 51
“ “ Essex “ .....	1,062 72
“ “ Franklin “ .....	480 28
“ “ Fulton “ .....	3,508 27
“ “ Gouverneur “ .....	85 44
“ “ Jefferson “ .....	305 28
“ “ Tompkins “ .....	449 28
“ “ Union “ .....	520 21
“ “ Washington “ .....	3,516 30
Total amount.....	<u>\$15,278 93</u>

## STATEMENT No. 27.

## BONDS AND MORTGAGES.

Received from the following persons on account and in full, for Bonds and Mortgages, viz:

J. Z. M. Hesser, in full.....	\$200 00
H. Mullen, on account.....	112 00
James Murphy, in full.....	243 00
T. Young, per T. Farley, in full.....	100 00
J. J. Staff, per R. B. Connolly, in full.....	382 00
G. C. Jeffres, on account.....	150 00
James Munson, per C. Sanford, in full.....	877 50
J. J. Riley, in full.....	4,926 00
J. Quinion, “ .....	396 00
H. Mullen, “ .....	70 00
Carried forward.....	<u>\$7,456 50</u>



Brought forward.....	\$7,456 50
John Sheridan, on account.....	500 00
P. J. Bogart, per C. Partridge, in full.....	2,301 00
J. G. Rebham, ".....	285 00
W. H. Winder, per J. U. Butterwith, ".....	264 00
Ernest Keyser, ".....	828 00
G. Dummer and J. Dunbar, ".....	338 50
Mary Leverich, ".....	168 00
P. Kearney, per W. Leggett, ".....	450 00
E. J. King, per executors of estate of J. J. Moses, in full.	993 75
J. Gibson, in full.....	1,650 00
J. Gamble, per R. B. Connolly, C. Clerk, in full.....	178 50
Gordon Burnham, in full.....	630 00
T. J. Hagan, ".....	612 00
Thomas Lemon, ".....	306 00
Matt Thutt, ".....	306 00
R. C. McCormick, per J. J. Cavena, on account.....	100 00
E. P. Fay, on account.....	1,000 00
M. Shaffner, on account.....	315 00
Thomas Rigney, in full.....	44 00
D. Pierson, ".....	372 00
J. J. Reilly, per J. J. James, ".....	2,520 00
John Casey, per G. H. Budke, ".....	282 00
R. & R. Marshman, ".....	948 00
John Sheridan, ".....	500 00
Robert T. Haws, ".....	1,811 25
R. C. McCormick, per J. J. Cavena, ".....	86 00
J. H. Brady, per Keyser & Berian, ".....	487 50
J. Kelly and Ann Brown, ".....	798 00
Total amount.....	<u>\$26,531 00</u>

## STATEMENT No. 28.

## COMMUTATION OF WATER LOT RENT.

Received for Commutation of Water Lot Rent, on account of grants  
to the following persons, viz:

Wm. Walton, per W. W. Deforest, by L. A. Weeks.....	\$58 34
J. R. Livingston, per J. Bailey, by J. H. Riker.....	196 00
W. Rhineland, per C. G. Garrison.....	50 00
J. Wilkins, per Mulford Martin.....	144 17
J. Martin, jr., per A. M. Matthias.....	176 50
B. Robinson, per J. P. & T. Cummings.....	378 67
R. Halliday, per Wm. Hook.....	2,381 66
Total amount.....	<u>\$3,385 34</u>

## STATEMENT No. 29.

## INTEREST ON FIRE LOAN BONDS AND MORTGAGES.

Received from the following persons, on account of Interest on Fire  
Loan Bonds and Mortgages, viz:

D. Clark, per C. J. Bergen.....	\$315 00
M. Levy, per J. Darcy.....	157 50
W. Jones, per J. W. Pearson.....	390 00
A. Palache.....	70 00
Total amount.....	<u>\$932 50</u>



## STATEMENT No. 30.

## INTEREST ON CITY STOCKS.

Received from the Chamberlain of the city, for Interest on the following stocks of the Corporation of the city of New York, viz:

5	per cent. Water Stocks.....	\$196,879 14
5	" Water Stock (new reservoir).....	305 00
5	and 6 per cent. Croton Water Stock.....	32,500 00
5	per cent. Indemnity Stock.....	12,700 10
5	" Building Loan Stock.....	2,500 00
5	" Public Building Stock.....	415 30
5	" Do. do., No. 3.....	12,510 00
5	" Public Education Stock.....	6,500 00
5	" Central Park Fund Stock.....	19,939 99
6	" " Assessment Fund Stock.....	408 00
5	" Stock for Docks and Slips.....	400 00
7	" Water Loan of 1857.....	3,657 53
Total amount.....		<u>\$288,715 06</u>

## STATEMENT No. 31.

## INTEREST ON REVENUE BONDS

Received for Interest on the following Revenue Bonds of the Corporation of the city of New York, viz:

Revenue Bonds, No. 119	of 1856, for \$117,300.....	\$5,688 25
"	" " 668½ of 1856, for 300,000.....	7,545 21
"	" " 735 of 1857, for 500,000.....	19,479 45
Total amount.....		<u>\$32,712 91</u>

## STATEMENT No. 32.

## LICENSES, PER CLERK COMMON COUNCIL.

Received from the Clerk of the Common Council, for Licenses, as follows, viz:

For Butchers' licenses	\$22 00
" Hack "	2,272 00
" Intelligence office licenses	625 00
" Junk shop "	7,005 00
" Meat shop "	600 00
" Pawnbrokers' "	2,350 00
" Stage "	6,714 75
" Second-hand dealers "	1,725 00
Total amount	<u>\$21,313 75</u>

## STATEMENT No. 33.

## MARKET CELLAR RENTS.

Received from Centre market	\$1,382 80
" Essex "	1,001 25
" Franklin "	2,083 06
" Fulton "	9,058 10
" Washington "	2,138 50
Total amount	<u>\$15,663 71</u>



## STATEMENT No. 34.

## MARKET FEES.

Received from Catharine market.....		\$2,114 65
“ Clinton “ .....		4,126 01
“ Centre “ .....		5,378 27
“ Essex “ .....		1,383 46
“ Franklin “ .....		484 91
“ Fulton “ .....		12,267 81
“ Gouverneur “ .....		98 31
“ Jefferson “ .....		854 60
“ Tompkins “ .....		1,204 13
“ Union “ .....		801 44
“ Washington “ .....		49,288 24
Total amount.....		<u>\$78,001 83</u>

## STATEMENT No. 35.

## REVENUE BONDS.

Received from the Chamberlain of the city, in payment of the following Revenue Bonds of the Corporation of the city of New York, viz:

Revenue Bonds of 1856, No. 119, for.....	\$117,300 00
“ “ “ “ 668 $\frac{1}{2}$ , “ ) .....	300,000 00
“ “ 1857, “ 735, “ .....	500,000 00
Total amount.....	<u>\$917,300 00</u>

## STATEMENT No. 36.

## RECEIVED FROM SALES OF REAL ESTATE.

Received from A. C. Flagg, per centage on sale Brick Church property.....	\$7,500 00
“ W. Pichen and D. Casley, on account of purchase lots Nos. 1 and 4, Fifty-second street, between Lexington and Fourth avenues.....	630 00
“ Peter S. Titus, Nos. 1, 2 and 3, Chatham street, corner of Pearl street.....	5,300 00
“ Lesser Samuels, No. 5, 113 Chatham street.....	1,280 00
“ John McCormick, No. 4, 115 Chatham street.....	1,370 00
“ H. Hume, Nos. 1 and 2, Bowery, between James and Roosevelt streets..	1,440 00
“ John Moadnyer, on account, purchase of lots, Nos. 26 and 27, One hundred and seventeenth street, Third and Fourth avenues.....	100 00
“ W. C. Ammerman, Nos. 16 and 23, One hundred and sixteenth street.....	446 50
“ Zach. M. Rhodes, No. 6, 111 Chatham street.....	1,320 00
“ Gerd. Holtrop, No. 35, Third avenue, between Seventy-fourth and Seventy-fifth streets.....	107 50
“ A. S. Hope, Nos. 5 and 24, Seventy-fourth street, between Third and Fourth avenues.....	1,092 00
“ A. S. Hope, Nos. 1, 2 and 3, Fourth avenue; 5 and 11, 18 and 19, 22 and 32, 33, 34 and 36, Fourth avenue, between Eightieth and Eighty-first sts.	2,712 00
Carried forward.....	<u>\$23,298 00</u>



Brought forward.....	\$23,298 00
Received from James Black, Nos. 33 and 34, Third avenue, between Seventy-fourth and Seventy-fifth streets.....	298 50
“ Amy Ireland, No. 25, One hundred and seventeenth street, between Third and Fourth avenues.....	58 50
“ W. Holden, Nos. 25 and 26, Seventy-fourth street, between Third and Fourth avenues.....	142 00
“ J. Stouvenel, Nos. 12 and 15, Eightieth street, between Third and Fourth avenues.....	334 00
“ Theo. Bleecker, No. 1, Fourth avenue, between Eightieth and Eighty-first streets.....	105 00
“ A. Vanderpoel, Nos. 20 and 21, Eightieth street, between Third and Fourth avenues.....	181 00
“ James Gallagher, Nos. 27, 28, 29 and 30, Seventy-fourth street, between Third and Fourth avenues.....	292 00
“ G. Garlan, account, lot 24, One hundred and seventeenth street, between Third and Fourth avenues.....	70 00
“ Thomas Miller, No. 35, Fourth avenue, between Eightieth and Eighty-first streets.....	157 50
“ David Hall, Nos. 16 and 17, Eightieth street, between Third and Fourth avenues.....	175 00
“ Eliza A. Samanos, No. 32, Seventy-fourth street, and No. 36, Third avenue, between Seventy-fourth and Seventy-fifth streets.....	182 50
Carried forward.....	<u>\$25,294 00</u>

Brought forward . . . . .	\$25,294 00
Received from James Bridges, house and lot, Fifth st., near Second avenue . . . . .	310 00
" Thomas E. Davis, Nos. 7, 8, 9 and 10, Pearl and William streets . . . . .	2,790 00
" T. T. Ferris, sale lot, December, 1852 . . . . .	2,565 25
" George Garlan, 15 per cent., lot No. 24, One hundred and seventeenth street, between Third and Fourth avenues . . . . .	105 00
" J. Bridges, house and lot, Fifth street . . . . .	465 00
" Peter S. Titus, house and lots, Nos. 1, 2 and 3, Chatham street . . . . .	7,950 00
" J. McCormick, house and lot No. 4, Chatham street . . . . .	2,055 00
" Henry Hume, house and lot No. 2, Bowery . . . . .	945 00
" Rhode & Hissing, house and lot No. 1, Bowery . . . . .	1,215 00
" J. M. Rhode, per H. Hume, house and lot No. 26, Chatham street . . . . .	1,980 00
" Lesser Samuels, house and lot No. 5, Chatham street . . . . .	1,920 00
" Gerd. Holtrop, lot No. 35, Third ave- nue, between Seventy-fourth and Sev- enty-fifth streets . . . . .	160 50
" Thomas Miller, lot No. 25, Fourth ave- nue, between Eightieth and Eighty- first streets . . . . .	236 25
" David Hall, lots Nos. 16 and 17, Eightieth street, between Third and Fourth avenues . . . . .	262 50
" J. Stouvenel, 15 per cent. on account of purchase of lots Nos. 12 and 15, Eightieth street, between Third and Fourth avenue . . . . .	501 00
Carried forward . . . . .	<u>\$48,754 50</u>



Brought forward.....	\$48,754 50
Received from W. Pichen and D. Carley, Nos. 1 and 4, Fifty-second street, between Fourth and Lexington avenues.....	945 00
" W. Holden, Nos. 25 and 26, Seventy- fourth street, between Third and Fourth avenues.....	213 00
" W. C. Ammerman, Nos. 16 and 23, One hundred and sixteenth street, between Third and Fourth avenues.....	669 75
" Eliza A. Samanos, Nos. 32 and 36, Third avenue and Seventy-fourth street....	273 75
" A. S. Hope, lots Nos. 5 and 24, Seventy- fourth street; 1 and 3, Fourth ave- nue; 11, 18, 19, 22, 32, 33, 34 and 36, Fourth avenue, between Eightieth and Eighty-first streets ..	5,706 00
" James Black, Nos. 33 and 34, Third avenue, between Seventy-fourth and Seventy-fifth streets ..	447 75
" Gerd. Holtrop, balance, 15 per cent., omitted.....	75
" Gabriel Mead, 10 per cent., on lot, Cedar street.....	5,000 00
" Aug. Greland, 10 per cent., on lot No. 25, One hundred and seventeenth street ..	87 75
" Jno. Moadnyer, Nos. 26 and 27, One hundred and seventeenth street.....	150 00
" George Gallagher, 2 lots, Fifty-fourth street, corner of Fifth avenue.....	2,650 50
" W. Conroy, 15 per cent., 10 lots, Pearl and William street.....	2,265 00
Carried forward.....	\$67,163 75

Brought forward.....	\$67,163 75
Received from Thomas E. Davies, Nos. 7, 8 and 9, Pearl street.....	1,920 00
" J. Bleeker, per J. Vanderpoel, lot No. 1, Fourth avenue.....	157 50
" J. Vanderpoel, Nos. 20 and 21, Eightieth street, between Third and Fourth avenues.....	271 50
" T. T. Ferris, 15 per cent. and interest purchase of lots in Central Park....	2,723 81
Total amount.....	<u>\$72,236 56</u>

## STATEMENT No. 37.

## STREET VAULTS.

Received from the Deputy Street Commissioner and Water Purveyor, for permits to sundry persons to make the necessary excavations for the building of vaults in the streets in front of their premises, viz:

From C. Turner, Deputy Street Commissioner .....	\$8,242 12
" J. P. Flender, Water Purveyor.....	9,901 00
Total amount.....	<u>\$18,143 12</u>

## STATEMENT No. 38.

## WATER LOT RENT

Received on account of Water Lot Grants, to the following persons, viz:

A. McComb, per H. Cargill.....	\$12 50
J. Smith, per W. E. Sedgwick.....	6 17
Carried forward.....	<u>\$18 67</u>



Brought forward.....	\$18 67
J. Vardell, per J. Purdy.....	2 17
G. W. Beekman, per Mrs. C. L. Penniman.....	51 49
G. W. Beekman, per P. W. Bridge.....	42 27
Eve Provost, per P. W. Bridge.....	22 52
J. Sorley, per M. Woodhull.....	6 56
J. Sorley, per M. Woodhull.....	6 56
J. Sorley, per M. Woodhull.....	6 57
A. Kennedy, per A. & J. Cotheal.....	7 36
J. W. Vredenbergh, per Ex. J. W. Clason.....	143 75
A. & P. Depeyster, per C. Tallman.....	1 10
A. & P. Depeyster, per E. Kettletas.....	1 10
S. Moore, per D. Shellin.....	12 57
Total amount.....	<u>\$322 69</u>

### STATEMENT No. 39.

#### SEVEN PER CENT. WATER LOAN OF 1857.

Received for Redemption of Water Loan, due February 1st, 1857.....	<u>\$209,002 00</u>
---	---------------------

### STATEMENT No. 40.

#### DETAIL OF RECEIPTS

*Of the Commissioners of "The Sinking Fund for Payment of Interest on the City Debt," for the year ending December 31st, 1857.*

#### CROTON WATER RENTS.

Received from R. C. Hance, Register of Water Rents..	\$697,370 51
" H. Howard, Receiver of Taxes .....	4,759 92
" Wilson Small, do. ....	23,656 33
" A. Purdy, Clerk of Arrears.....	9,577 35
Total amount.....	<u>\$735,364 11</u>

## STATEMENT No. 41.

## CENTRAL PARK RENTS.

Received from J. Rose, Collector of City Revenue....	\$1,909 50
--	------------

## STATEMENT No. 42.

## FINES AND PENALTIES.

Received from G. H. Purser, Corporation Attorney...	\$714 18
“ H. Vandervoort, Clerk of Sessions.....	1,720 27
“ R. J. Johnston, Special, do.....	3,430 00
“ U. D. French, Commissioner of Jurors..	5,553 54
Total amount.....	<u>\$11,417 99</u>

## STATEMENT No. 43.

## INTEREST ON BONDS AND MORTGAGES.

Received from Joseph Rose, Collector of City Revenue, for interest on bonds and mortgages, as per his returns.	<u>\$32,285 33</u>
---	--------------------

## STATEMENT No. 44.

## INTEREST ON REVENUE BONDS.

Received from the City Chamberlain, for interest on Revenue Bonds of 1856, No. 2.....	<u>\$30,000 00</u>
---	--------------------

## STATEMENT No. 45.

## INTEREST ON ASSESSMENT BONDS.

Received from the City Chamberlain, for amount paid from the Sinking Fund, in error, for interest on Assessment Bonds, due in 1861.....	<u>\$14,684 03</u>
---	--------------------



## STATEMENT No. 46.

## INTEREST ON CENTRAL PARK STOCK.

Received from U. S. Gent, amount paid in error..... \$98 76

## STATEMENT No. 47.

## JUSTICES' COURTS.

Received from J. B. Batchelor, Clerk, 1st District.....	\$2,808 30
“ T. F. Peers, “ 2d “ .....	3,520 32
“ W. E. Smith, Jr., “ 3d “ .....	1,733 88
“ D. Seaman, “ 4th “ .....	2,500 38
“ E. S. McPherson, “ 5th “ .....	1,008 88
“ J. Waite, “ 6th “ .....	2,244 50
“ J. L. Ambler, “ 7th “ .....	755 89
Total amount.....	<u>\$14,572 15</u>

## STATEMENT No. 48.

## LICENSESES.

Received from Wm. H. Stephens, First Marshal, for licenses  
for public carts, expressmen, porters, runners, &c., as  
per his returns..... \$8,930 25

## STATEMENT No. 49.

## MARINE COURT.

Received from Moses D. Gale, as per his monthly returns. \$5,141 05

## STATEMENT No. 50.

## NIGHT-SOIL CONTRACTS.

Received from James R. Day, on account of contract for  
removing night-soil..... \$2,000 00

## STATEMENT No. 51.

## POLICE COURTS.

Received from James Nesbit, Clerk, 1st District .....	\$324 31
“ J. M. Murray, do., 2d “ .....	539 00
“ W. B. Rockwell, 3d “ .....	245 00
“ G. W. Matsell, Chief of Police, for proceeds of sale of stolen goods .....	138 24
Total amount .....	<u>\$1,246 55</u>

## STATEMENT No. 52.

## PERSONAL PROPERTY.

Received from J. Johnson, Superintendent of New Court-rooms, for sales of old furniture, &c. ....	<u>\$36 00</u>
---	----------------

## STATEMENT No. 53.

## RENTS ON REAL ESTATE.

Received from Joseph Rose, Collector of City Revenue:	
For Common Land rent .....	\$50 00
“ Docks and Slips “ .....	159,799 37
“ Ferry “ .....	97,085 00
“ Ground “ .....	24,276 74
“ House “ .....	14,236 12
“ Water Lot “ .....	7,600 47
Total amount .....	<u>\$303,047 70</u>

## STATEMENT No. 54.

## REVENUE BONDS.

Received from the Chamberlain, in payment of Revenue bond of 1856, No. 2 .....	<u>\$500,000 00</u>
--	---------------------



## STATEMENT No. 55.

## TAX LEVY, FOR INTEREST ON CENTRAL PARK DEBT.

Received from the Chamberlain of the city, for amount  
 included in the Tax Levy of 1857, for payment of in-  
 terest on Central Park stocks issued..... \$255,760 00

## STATEMENT No. 56.

## STATIONERY USED BY DEPARTMENTS, IN 1857.

Clerk of Common Council and Board of Aldermen.....	\$4,265 11
Clerk of Board of Councilmen.....	2,582 16
Croton Aqueduct Department.....	48 38
Court of Common Pleas.....	868 58
Counsel to Corporation.....	1,458 69
Corporation Attorney.....	261 88
City Judge.....	277 48
City Inspector.....	510 25
Coroners.....	123 00
Court of Sessions.....	1 00
Department of Streets and Lamps.....	719 41
District Courts.....	766 83
District Attorney.....	29 50
Department of Repairs and Supplies.....	571 76
Finance Department.....	583 75
Fire Department.....	902 94
Mayor.....	1,222 19
Marine Court.....	395 80
Police Department.....	1,284 59
Carried forward.....	<u>\$16,873 30</u>

Brought forward.....	\$16,873 30
Police Courts.....	554 53
Public Administrator.....	212 07
Recorder.....	178 25
Street Department .....	1,289 58
Superior Court .....	653 73
Surrogate .....	57 25
Tax Commissioners.....	781 00
Tax Receiver.....	196 56
Total.....	<u>\$20,796 27</u>
Stationery on hand January 1st, 1857.....	\$1,162 25
“ “ “ 1858.....	500 00
	\$662 25
“ paid for in 1858.....	20,134 02
“ used in 1857.....	<u>\$20,796 27</u>



# INDEX.

## A.

Appropriations, Expenditures and Receipts.....	5, 6, 28
"            "            City Government.....	30
"            "            Trust and Special accounts.....	31
Assessment Bonds.....	11
"            Loans.....	40

## B.

Battery.....	18
Belgian pavement.....	27

## C.

City Debt.....	8, 38
Central Park.....	23, 99
"            Assessment Stock.....	11
Collection of Taxes of 1857.....	12
Croton Aqueduct Reservoir.....	25
Chamberlain, account with.....	41

## D.

Debt, City.....	8, 36, 38
"            Redemption.....	8
"            Increase.....	10
"            Payable by Taxation.....	11

## F.

Frauds in Assessment Contracts.....	18, 78
Ferry Rent.....	27, 102

## I.

Investigation in Finance Department..... 18, 78

## J.

Judgments of R. W. Lowber..... 16, 60, 70, 74

## L.

Loans for Assessments..... 11, 40

Lowber judgment..... 16, 60, 70, 74

## M.

McCotter, Alex., lots on Ward's Island..... 17, 76

## P.

Piers and Slips..... 27, 100

Permanent City Debt..... 36

## R.

Reservoir, Croton (new)..... 25

Receipts Commissioners, Sinking Fund ..... 34, 35, 104 to 119

Real and Personal Estate valuations..... 59

## S.

Sinking Fund..... 7, 27 34, 35

“ Securities held..... 37

“ Balance sheet..... 41

“ Receipts..... 8, 104 to 119

Stationery..... 119



## T.

Taxation, Increase of.....	7
Taxes, Collection of.....	12.
" Non-resident.....	15
" Levied 1850 to 1857.....	32
" Daily Receipts.....	42
" Total ".....	45
" Remitted.....	14, 46
" Corporations.....	15, 54
Treasury Loan Account.....	11, 39
" " Operations.....	12
" " Balance Sheet.....	41

## V.

Valuations of Real and Personal Estate.....	59
---	----

## W.

Ward's Island.....	17, 76
--------------------	--------

1881

T

Formation, location of...

...collection

...collection

1881

...

...

...

85

1881



DOCUMENT No. 11.

---

BOARD OF ALDERMEN,

MAY 13, 1858.

---

The following communication from the Comptroller, in relation to settlement of awards in the Bowery Extension, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

---

FINANCE DEPARTMENT, COMPTROLLER'S OFFICE,  
New York, May 13, 1858.

*To the Common Council:*

The Comptroller respectfully submits to the Common Council an explanation in regard to that portion of the report of the Joint Committee on Accounts, made to the Board of Aldermen May 6th, which relates to the payment of awards on the Bowery Extension. This becomes necessary, in consequence of the manner in which the Committee has mixed up the receipts taken in the Street

Department with the accounts kept in the Finance Department, and also in consequence of a misapprehension by the Committee in regard to the amount of the awards paid to the executors of Mahlon Day, and to Mrs. Juliana Gardiner. The posting of the books in the Finance Department had been neglected by J. B. Smith, but these have been brought up by Mr. Storrs within a few days, and we are now enabled to give a precise and correct statement in regard to the payment of awards on this improvement. In doing this, the exhibit will be confined to the transactions in the Finance Department, and excluding all allusion to the books and receipts in the Street Department, for which the Finance Department cannot properly be held responsible.

The Committee made the following statement in regard to the award to Juliana Gardiner, viz:

“The Commissioners awarded to Juliana Gardiner seven awards, amounting in the aggregate to \$62,990.

“The receipt book shows three receipts of Juliana Gardiner for payments of awards in Bowery opening and extension.

One dated October 24, 1856, for.....	\$53,957 00
--------------------------------------	-------------

“ “ 25, “ .....	9,033 00
-----------------	----------

“ December 13, “ .....	41,999 00
------------------------	-----------

Aggregate of receipts.....	<u>\$104,989 00”</u>
----------------------------	----------------------

The three receipts above alluded to, it must be remembered, are on the book kept in the Street Department,

and not on the check book, or any other books in the Finance Department.

These awards were settled by A. S. Cady, under the direction of the Comptroller, and paid in the Finance Department. In closing the settlement in the Finance Department, a receipt and release was taken from Mrs. Gardiner for the sum of \$62,990, being the exact amount of the principal of the award, which release is acknowledged before a Commissioner of Deeds, and completes the title of the city to the land acquired. A copy of this release is annexed, marked A.

An arrangement was made with Mrs. Gardiner to make advances on the awards, as she required the money for certain improvements, and to allow her interest until it was convenient for the treasury to pay the whole amount of awards. The principal of the award was \$62,990.

Payments were made as follows:

October 31st, 1856.....	\$21,000 00
December 10th, 1856 .....	41,990 00
	<hr/>
	\$62,990 00

Interest was paid on \$21,000 to date of payment,

October 31, 1856.....	\$207 32
-----------------------	----------

Interest was allowed on \$41,990 to date of pay-

ment, December 10, 1856.....	815 36
------------------------------	--------

Amount paid for interest.....	<u>\$1,022 68</u>
-------------------------------	-------------------



This is a simple statement of the condition of the account, as it appears in the Finance Department, with Mrs. Gardiner, and it shows that there was no over-payment.

In regard to the payment of an award to the executors of Mahlon Day, the Committee say—

“The over-payments are on the following awards:

Award No. 78, to unknown owners.....	\$9,116 00
“ “ 79, “ “ .....	9,795 00
“ “ 80, “ “ .....	6,355 00
<hr/>	
Total of the three awards ordered paid to estate of Mahlon Day.....	\$25,266 00

“Paid as follows:

Warrant No. 2004.....	\$3,100 00	
“ “ 2079.....	3,100 00	
“ “ 2080.....	22,166 00	\$28,366 00
<hr/>		
Over-payment .....	\$3,100 00	

“The over-payment on awards Nos. 78, 79 and 80, was by warrant No. 2004, as per receipt dated September 2d, 1856, signed by W. N. Thurston, Jr., executor—amount, \$3,100. An ink line is drawn through the signature of this receipt; but not having been able to elicit any information in regard to it, your Committee can offer no opinion as to the purpose for which, or by whom, it was done. The warrant was regularly entered, as issued for payment on these awards, and no entry can be found to indicate that it was ever canceled.”

The fact, stated by the Committee, that an ink line was drawn through the name of the person signing the receipt for warrant No. 2004, was a strong indication that the warrant was canceled. When the attention of the Comptroller was called to this matter by Mr. Franklin, one of the examiners for the Committee, the Comptroller suggested, that, if two warrants for this sum had been issued, neither of them would perish in the hands of the possessor, whether they were obtained honestly or fraudulently, and both certainly would be presented to the Treasury Bank for payment; and that this fact could be ascertained by an examination of the book in which the Chamberlain enters the date, number and amount of the checks, which he returns to the Comptroller's office, in order to obtain credit for the amounts paid by him. The Comptroller added, that, if both checks were returned on this book as paid by the Chamberlain, it would afford conclusive evidence that a double payment had been made by the issue of two warrants for the same sum. If, on the contrary, the Chamberlain had returned only the amount of the check which Mr. Franklin held in his hands at that time, it would be equally conclusive that the missing check had been canceled and not issued.

The book above referred to was examined by the clerks in the Finance Department, and it was found that only the check No. 2079 for \$3,100 was returned, and credited to the Chamberlain.

After the publication of the report of the Committee on Examining Checks, which had been made out and cancelled, before being signed by the Mayor and clerk, and issued, the identical check No. 2004, for \$3,100, dated

September 2, 1856, was found, signed only by the Comptroller. The following memorandum appears to have been made in the hand writing of the Comptroller, on the face of the check, viz: "Unknown owners, canceled," thus corresponding with the cancelment of the receipt of the executor on the margin of the check-book.

Mahlon Day was a well known citizen, who had possessed the property in question, for a long series of years, and the first check for an advance to the executors of his estate was probably made out without supposing that such an estate would be awarded to unknown owners. It appears, however, that application had to be made to the Supreme Court, and the order of the court for payment was deferred till October 9, 1856; this probably explains the withholding of the first check, its cancelment, and the erasure of the name of the executor, after he had signed the receipt in the margin of the check-book.

The amount of three awards, for property owned by the estate of Mahlon Day, is..... \$25,266 00

Payments were made as follows, viz:

October 9, 1856, warrant No. 2,079.....	\$3,100 00
"              "              2,080.....	22,166 00
Total.....	<u>\$25,266 00</u>

Interest was allowed, as directed by the order of the Supreme Court, to the time of payment, by warrant No. 2,083, October 13, 1856..... \$188 96

And receipts and releases were executed by the exe-



cutors, in the form annexed, in relation to the award to Mrs. Gardiner.

The total amount of awards for the land taken in the opening and extension of the Bowery, was..	\$532,268 00
The amount paid on the principal of awards is	<u>509,979 00</u>
Leaving the amount yet unpaid, on two awards.....	<u>\$22,289 00</u>

In all these settlements made by A. S. Cady, as shown by memorandums entered in a book, it is found by the examiners in the Finance Department, that the account of the principal of the awards and the interest is correct.

In regard to the payment of \$1,325 62, in the name of E. H. Cambrelling, Attorney, the examiners in the Finance Department concur in the opinion with those who made the examination for the Committee, that this case bears unmistakable indications of fraud and forgery, perpetrated by J. B. Smith.

This latter case was referred to in the Comptroller's annual report, as the only irregularity connected with the payment of awards, on account of the Bowery extension, and subsequent examinations by Mr. Storrs afford very satisfactory evidence that this conclusion was correct.

Memorandums of the settlements made by Mr. Cady, were entered in a book, and the checks for those payments were filled up from this book by J. B. Smith. In the case of the fraudulent check above referred to, there is no shadow of a pretence to warrant it in any memorandum made by Mr. Cady.

All the settlements and memorandums made by Mr. Cady, authorizing payments of awards on this job, amounting to \$509,979, appear to have been correct in every particular.

All which is respectfully submitted,

A. C. FLAGG, *Comptroller.*

## STATEMENT A.

KNOW ALL MEN BY THESE PRESENTS, *Whereas*: In and by the report of the Commissioners of Estimate and Assessment, duly confirmed by the Supreme Court, on the ninth day of April, in the year one thousand eight hundred and fifty-six, in a certain proceeding, entitled, "In the matter of the application of the Mayor, Aldermen and Commonalty of the city of New York, relative to the opening and extending of the Bowery, from the southerly side of Chatham square to Franklin square, in said city," an award for taking certain lands, to wit:

Nos. two (2), three (3), four (4), five (5), seventeen (17), eighteen (18), and nineteen (19), on the map of the said Commissioners, was made to Juliana Gardiner, in the sum of sixty-two thousand nine hundred and ninety dollars, as by reference to said report and the maps of said Commissioners, on file in the office of the Street Commissioner of the city of New York, will more fully appear.

*Now, therefore, know ye*, That I, Juliana Gardiner, the person named in and entitled to the said award, do hereby acknowledge to have received from the Mayor, Aldermen and Commonalty of the city of New York, the aforesaid sum of sixty-two thousand nine hundred and ninety dollars, in full payment and satisfaction of said award; and, in consideration thereof, I do hereby, for myself, my heirs, executors and administrators, grant and release unto the said Mayor, Aldermen and Commonalty aforesaid, the said lots and parcels of land, and all my right, title, and interest therein.



*In witness whereof*, I have hereto set my hand and seal, this twenty-fifth day of October, in the year one thousand eight hundred and fifty-six.

(Signed,)

JULIANA GARDINER, [L. s.]

Sealed and delivered in the presence of  
A. S. CADY.

---

*City and County of New York*, ss:—On this 25th day of October, in the year one thousand eight hundred and fifty-six, before me, a Commissioner of Deeds, in and for the city and county of New York, personally appeared Juliana Gardiner, and acknowledged that he executed the same.

(Signed,)

A. S. CADY,  
*Commissioner of Deeds.*

---

*City and County of New York*, ss:—Juliana Gardiner, the person above mentioned, and who has executed the preceding release and satisfaction, being duly sworn, deposes and says, that she is the person named in the report of the Commissioners, and entitled to the award therein referred to, and that there are no liens of any description against said premises.

(Signed,)

JULIANA GARDINER.

Sworn, this 25th day of }  
October, 1856. }

A. S. CADY,

*Commissioner of Deeds.*

DOCUMENT No. 12.

---

BOARD OF ALDERMEN,

MAY 3, 1858.

---

The following acts passed by the Legislature of the State, relative to this city, were received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

---

AN ACT

RELATIVE TO NOTARIES PUBLIC, IN THE CITY AND COUNTY OF  
NEW YORK.

Passed March 25th, 1858.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The notaries public in and for the city and county of New York, whose commissions have not expired, and who have qualified according to law, are hereby authorized to continue in the discharge of the duties of their respective offices until the expiration of their commissions; and the official acts of the several notaries shall have the same force and effect as if no irregularity had existed in their several appointments.

§ 2. The Governor may appoint, by and with the advice and consent of the Senate, as many notaries public in and for the city and county of New York, as he may deem necessary; provided the number in commission at any one time shall not exceed four hundred.

§ 3. All acts or parts of acts inconsistent with this act, are hereby repealed.

§ 4. This act shall take effect immediately.

---

### AN ACT

FOR THE RELIEF OF THE MEMBERS OF THE COMMON COUNCIL AND BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF NEW YORK, FOR THE YEAR EIGHTEEN HUNDRED AND FIFTY-SEVEN.

Passed April 12, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Every person who was elected to the office of Alderman, or to the office of Councilman, for any ward or council district of the city of New York, for the political year commencing on the first of January, eighteen hundred fifty-seven, and who qualified as such Alderman or Councilman, and who acted as such, is hereby declared to be entitled to receive the sum of two hundred and eighty dollars from the city treasury, for his services, in addition to any moneys received for such services, during any part of the said political year.

§ 2. It shall be, and is hereby declared to be the duty of the Comptroller of said city of New York, to draw his warrant for said sum in favor of each of the persons above spe-



cified, upon the production to him of a duly certified copy of the oath of office of such member of said Common Council.

§ 3. The Supervisors of the county of New York are hereby authorized and empowered to raise by tax, or otherwise, the sum of twenty-three thousand and twenty-four dollars, and such other sum as may be required for the purposes of this act.

§ 4. The members of the Board of Supervisors of the city and county of New York, for the year eighteen hundred and fifty-seven, are hereby declared to be entitled to compensation at the same rate per diem as the Supervisors of the other counties of the state, and that the Comptroller of the city of New York is hereby authorized and directed to draw his warrant in favor of each member of the said Board of Supervisors, for the year eighteen hundred and fifty-seven, for such amount as he shall be found entitled to under the provisions of this section, upon the presentation of a certificate of the clerk of the said Board of Supervisors, of the number of days he shall have been present at the meetings of said board, between the first day of May and the thirty-first day of December.

§ 5. All acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

§ 6. This act shall take effect immediately.

## AN ACT

TO LEGALIZE CERTAIN ACTIONS OF THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF NEW YORK, IN RELATION TO THE PAYMENT OF MONEYS TO DAVID A. FOWLER.

Passed April 12th, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The several resolutions passed in the years eighteen hundred and fifty-three, eighteen hundred and fifty-four, eighteen hundred and fifty-five, eighteen hundred and fifty-six, and eighteen hundred and fifty-seven, by the Board of Supervisors of the county of New York, directing the payment of moneys to David A. Fowler, as secretary to the board of county canvassers, be and the same are hereby declared to be lawful and of binding force.

§ 2. This act shall take effect immediately.

---

## AN ACT

TO CONTINUE THE COMMISSION APPOINTED TO SECURE THE MORE PERFECT ESTABLISHMENT, GOVERNMENT REGULATION AND ECONOMY OF COMMON SCHOOLS IN THE CITY OF NEW YORK.

Passed April 14, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The act entitled "An act to provide for the appointment of a commission to secure the more perfect establishment, government, regulation and economy of common schools in the city of New York," passed seventh April,

eighteen hundred and fifty-seven, shall continue in force until the first day of January, eighteen hundred and fifty-nine; and the powers of the commission appointed thereunder, shall also continue in force, and it shall be lawful for the said commission to report to the Governor, pursuant to the provisions of said act, at any time previous to the said first day of January, eighteen hundred and fifty-nine.

2. This act shall take effect immediately.

---

## AN ACT

TO EXTEND THE CHARTER OF THE FIREMEN OF THE CITY OF  
NEW YORK.

Passed April 14, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate  
and Assembly, do enact as follows:*

SECTION 1. The act entitled "An act to incorporate the firemen of the city of New York, passed March the twentieth, seventeen hundred and ninety-eight, and all acts and parts of acts relating to the said corporation, and which are now in force, shall be continued in force until the first day of May, eighteen hundred and eighty, unless sooner altered, modified or repealed by the legislature.



## AN ACT

IN RELATION TO THE NEW YORK DISPENSARY, THE NORTHERN DISPENSARY, THE EASTERN DISPENSARY, THE DEMILT DISPENSARY, AND THE NORTH-WESTERN DISPENSARY OF THE CITY OF NEW YORK.

Passed March 6, 1858.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The New York Dispensary, the Northern Dispensary, the Eastern Dispensary, the Demilt Dispensary, and the North-western Dispensary of the city of New York, are, and each of them is authorized to change the time for holding their annual meeting and electing their officers; provided, however, that no such change shall be made excepting in the manner prescribed for altering or amending their by-laws, or by vote at an annual meeting.

§ 2. This act shall take effect immediately.

## AN ACT

IN RELATION TO THE NEW YORK JUVENILE ASYLUM.

Passed March 25, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The twenty-eighth section of the act entitled "An act to Incorporate the New York Juvenile Asylum," passed June thirtieth, eighteen hundred and fifty-one, is hereby amended, and shall read as follows, viz:

§ 28. In each and every year thereafter, the said Board

of Supervisors shall, in the same manner, levy and collect by tax, and pay over to the said New York Juvenile Asylum, for the uses and purposes thereof, a sum not exceeding seventy-five dollars per annum, and proportionally for any fraction of a year, for each child which, by virtue and in pursuance of the provisions of this act, shall be entrusted or committed to the said asylum from the city and county of New York, and shall be supported and instructed therein; but the sum to be collected and paid by the said Board of Supervisors for each child so received, supported and taught in said asylum, shall in no case exceed the lowest cost of support and government of a child of the same age in any of the public institutions at present under the care of the Ten Governors of the Alms-house and prisons department of the said city. The moneys so to be received from the said Board of Supervisors, together with all other moneys raised by the said New York Juvenile Asylum, to be applied to the payment of the current expenses, and for the perfect establishment and general support of the said asylum.

§ 2. To provide the pecuniary means for the purchase of land, and the erection of a house of reception for the New York Juvenile Asylum, and to aid in furnishing said building and in defraying the expenses thereof, whenever it shall be proved to the Board of Supervisors of the city and county of New York, by the affirmation or affidavit of the president and secretary of the said asylum, that in addition to the sum specified in section twenty-seven of "An act to incorporate the New York Juvenile Asylum," passed June thirtieth, one thousand eight hundred and fifty-one; and also in addition to the farther sum specified in section one of "An act to amend an act to incorporate the

New York Juvenile Asylum," passed March twenty-seventh' one thousand eight hundred and fifty-six, the further sum of twenty thousand dollars in money or approved securities, have, by voluntary subscriptions or otherwise, been raised for the purposes of said asylum, the said Board of Supervisors may, in their discretion, raise and collect a like sum of twenty thousand dollars by tax upon the real and personal property of the said city and county to be so levied and collected at the same time and in the same manner as the contingent charges and expenses of the said city and county are levied and collected; provided, however, that if any balance of the sum of forty thousand dollars levied and collected for the year eighteen hundred and fifty-seven by the said Board, in pursuance of the twenty-eighth section of the act of June thirtieth, eighteen hundred and fifty-one, incorporating the said asylum, shall yet remain unexpended, then it shall be lawful for the said Board to direct such unexpended balance of said moneys to be immediately paid to the said asylum on account of the sum of twenty thousand dollars authorized by this act; and in such case only so much as shall yet remain of the said last mentioned sum of twenty thousand dollars, shall be levied and collected by virtue hereof. All such moneys so to be raised by the said New York Juvenile Asylum, and to be paid or levied and collected by the said Board, to be together expended by the said New York Juvenile Asylum, for the purposes specified in the first clause of this section.

§ 3. This act shall take effect immediately.



## AN ACT

TO INCORPORATE THE NEW YORK PURE MILK COMPANY.

Passed April 12, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Jonathan A. Kellar, Robert M. Stratton, Henry C. Banks, and their associates, and all other persons who hereafter shall, from time to time, be associated with them, are hereby constituted a body politic and corporate by the name of the New York Pure Milk Company, for the purpose of furnishing and supplying the city of New York and vicinity with pure and wholesome milk, and of having, holding, exercising and enjoying all the rights, power and privileges necessary to the establishment of such a business, and to that end the said corporation may acquire, take, hold and transfer real and personal estate, and sue and be sued by their corporate name.

§ 2. The capital stock of said company shall consist of the sum of one hundred and fifty thousand dollars, which shall be deemed personal property, and shall be divided into shares of ten dollars each; no assignment or transfer of any share shall be valid until such transfer shall be registered in the book to be kept for that purpose, and in accordance with the by-laws of said company.

§ 3. In addition to the general powers granted to corporations by the third article of the eighteenth chapter of the first part of the Revised Statutes, the said Corporation shall have power to purchase and erect such buildings and other appliances as shall be deemed necessary to carry out

the purposes and objects of the association, and to make divisions of the capital stock.

§ 4. The concerns of the said corporation shall be managed by a board of directors, to consist of not less than five nor more than seven members, who shall be stockholders of said company, and who, except the first directors hereby appointed, shall hold their offices fore\* one year, and until others are chosen in their places.

§ 5. So soon as twenty-five thousand dollars of the capital stock have been subscribed and paid in, the company may go into operation, and the said Jonathan A. Weller, Robert M. Stratton, Henry C. Banks, and such other persons as a majority of them shall elect, (but not so as to exceed in number seven members) shall be the first directors of said company, with power to fill vacancies and elect officers, and such board of directors shall hold their offices for the first year, and until others are chosen in their places by the stockholders, of whom a majority shall constitute a quorum for the transaction of all business; and said directors shall select from among themselves, a president and secretary, for the time being.

§ 6. The stockholders shall, every year except the first, elect the directors, together with a president and secretary; said president and secretary shall be chosen from among the stockholders, and shall be ex-officio members of said board of directors; public notice of the time and place of such election shall be given by the directors for the time being, for at least two weeks previous thereto, in one ore† more of the newspapers published daily in the city of New York.

---

\* So in the original.

† So in the original.

In case it should at at\* any time happen that an election of directors should not be made on the day appointed by the by-laws of the said corporation, a new election shall be held with proper despatch, and on public notice; and the officers of the preceding year shall hold over until their successors shall be elected and inducted into office.

§ 7. The milk to be furnished by the said association shall be placed in metallic cans, which shall be locked before leaving the premises of the company, and the keys thereof retained by the officers, and the said milk shall in all cases be drawn by means of a faucet. The cows from whence the said milk shall be obtained shall be fed exclusively on hay, grain, grass, or other dry vegetable provender, and shall be allowed such free air and exercise in the open fields as may be necessary to preserve them in good, sound and healthy condition. Any violation of either of the provisions of this act shall be and is hereby declared to be a forfeiture of this charter, and all corporate rights thereto pertaining.

§ 8. A majority of all the directors of said company shall have power to pass such by-laws, rules and regulations, from time to time, and to alter or repeal the same, as shall be deemed necessary for the proper and legitimate prosecution of the business aforesaid, provided the same shall be consistent with the provisions of this act and the laws of this state.

§ 9. The said company shall cause to be prepared a corporate seal, on which shall be engraven the corporate name of said company, together with the date of incorporation, with such characteristic device as may be deemed appropriate.

---

\* So in the original.



§ 10. The directors may require payment of subscriptions to the stock of said company, at such time and in such proportions as they may deem proper, under penalty of forfeiting all stock and previous payments thereon; and the said company may sue for and recover all such subscriptions. Notice of the time and place of such payments shall be published two weeks previous to such time, in one or more of the newspapers published in the city of New York.

§ 11. The stockholders of this company shall be severally individually liable to the creditors of the company to an amount equal to the amount of stock held by them respectively, for the debts and contracts made by such company, until the whole amount of capital stock fixed by the company shall have been paid in, and a certificate to that effect filed in the county clerk's office of the county of New York.

§ 12. This act shall take effect immediately.

---

### AN ACT

TO AMEND AN ACT "TO ESTABLISH REGULATIONS FOR THE PORT OF NEW YORK," PASSED APRIL SIXTEENTH, EIGHTEEN HUNDRED AND FIFTY-SEVEN.

Passed April 15th, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section three of chapter six hundred and seventy-one of the session laws of eighteen hundred and fifty-seven, is hereby amended so as to read as

§ 3. It shall not be lawful for any person to throw any ballast, rubbish, ashes or cinders from any vessel or lighter, or from any pier or bulkhead, into the waters of the docks,

slips, or harbor of the port of New York ; nor from out of any vessel upon any pier or bulkhead in the port of New York, unless to discharge the same immediately into carts. Any person who shall violate any of the provisions of this section shall forfeit and pay to the commissioners the sum of five dollars, and the further sum of two dollars for each and every cubic yard of material so thrown out ; and such fine shall be a lien, until paid, upon any vessel from which such material shall be thrown or discharged.

§ 2. Section four of said act is amended so as to read as follows :

§ 4. Every person wilfully throwing or putting any stones, earth, shavings, night-soil, dirt or rubbish, into any dock or slip in the port of New York, or on any public pier or bulkhead in said port, shall forfeit and pay to the commissioners the sum of twenty-five dollars for each offence ; one half of all fines recovered under this section shall be for the use of the person or persons lawfully entitled to the occupation of such docks, slips or piers. Whenever any horse or cart shall be employed in dumping stones, earth, shavings, night-soil, dirt or rubbish, into any dock or slip, or any public pier of the port of New York, the fine prescribed by this section shall be a lien, until paid, upon such horse and cart.

§ 3. Section five of said act is amended so as to read as follows :

§ 5. It shall be the duty of every owner, master, mate, or other person having the charge or management of any vessel from which, or into which, ballast, coals, cinders, stones, bricks, tiles, dung, or any loose matter or thing, shall be

conveyed, to fasten canvas, mats, or cloths, between the pier or bulkhead and vessel, and between vessels lying alongside each other, to or from which such ballast or other loose material shall be conveyed, so as to prevent any part thereof falling into the waters of the port ; and if to be landed, to place such material at least two feet from the edge of the pier or bulkhead, under the penalty of ten dollars for the violation of any of the provisions of this section, and for each offence, to be paid to the commissioners; and such penalty shall be a lien, until paid, on the vessel from which such ballast, coals, cinders, stone, brick, tiles, dung or other matter or thing shall be so conveyed or landed.

§ 4. Section six of said act is amended so as to read as follows :

§ 6. It shall not be lawful to throw iron, lead, or any metal, or any package of merchandise, weighing over fifty pounds, from a vessel on to a pier in the port of New York, without adequate protection to the planking of such pier, under the penalty of five dollars for each offence, to be paid to the commissioners, and to be a lien on the vessel until paid ; nor shall it be lawful for any person or persons to draw, or cause to be drawn, or trail, or drag over any pier in the port of New York, any anchor, or blocks of stone, otherwise than upon carts, rollers, wheel carriages or sleds, under the penalty of five dollars for every offence, one half of which shall be for the use of the person or persons lawfully entitled to the occupation of such pier.

§ 5. Section eight of said act is amended so as to read as follows :

§ 8. Whenever any pier or bulkhead in the port of New



York shall be encumbered, or its free use interfered with by merchandise, lumber, or any other obstruction, whether of loose material, or built upon, or affixed to the pier or bulkhead, it shall be the duty of the commissioners to notify the person or persons placing or keeping such merchandise or obstruction on such pier or bulkhead, to remove such merchandise or obstruction within twenty-four hours after such notice; and in case of failure to comply with such notice, and to remove such merchandise or obstruction, the person or persons so notified shall be liable to pay to the commissioners the sum of twenty-five dollars for each and every day during which such merchandise or obstruction shall remain on such pier or bulkhead; and the commissioners shall have power, in their discretion, to remove any merchandise so encumbering any pier or bulkhead, and to store the same in a warehouse or other proper receptacle; and a sum equal to the amount of the expenses of removal, together with the charges for storage, shall be paid by the owner of such merchandise to the commissioners, and shall be a lien on such merchandise until paid.

§ 6. Section eleven of said act is amended so as to read as follows :

§ 11. It shall be the duty of the said commissioners to require the lessees or occupants of the public piers and bulkheads in the cities of New York and Brooklyn, to keep the said piers and bulkheads clean and in good repair; and they shall specify in such notice the particulars of the repairs required by them to be made; and if, when so notified to clean and repair any public pier or bulkhead, the lessee or occupant shall refuse so to do, in accordance with the notice and specification of the commissioners, he shall

be liable to pay to the said commissioners a fine of five dollars for each and every day during which he shall neglect or refuse to clean or repair such pier or bulkhead.

§ 7. Section seventeen of said act is hereby amended so as to read as follows:

§ 17. All fines and penalties incurred and recovered under this act, which are recoverable by or in the name of the commissioners under this act, shall be paid, except as otherwise provided in this act, into the treasury of this state, and the treasurer shall keep account of the same; and he shall pay to the said commissioners annually, the expenses incurred and hereafter to be incurred by the said commissioners under the act, to be certified to him by the president and secretary of said board, not exceeding five thousand dollars per annum, and the further sum of five thousand dollars to be divided between them, as follows: To the President of the Board the sum of two thousand dollars, and to each of the other commissioners the sum of seven hundred and fifty dollars per annum.

§ 8. Section eighteen of said act is amended so as to read as follows:

§ 18. All the fines and penalties incurred under this act, shall be recoverable by and in the name of the said commissioners. In all cases where the fines and penalties prescribed by this act are made liens upon property, they shall be enforced by attachments issued by the court where the proceedings for the recovery of such fines and penalties shall be pending, to the officers to whom executions of such courts are issued, and shall be enforced and discharged in like manner as attachments against property of non-resident

debtors; and the said commissioners shall have power, in their discretion, to remit any fines or penalties incurred under this act. For the purposes of this act, all piers and bulkheads shall be deemed and taken as extending into the adjoining streets in the rear thereof, a distance of six feet.

§ 9. This act shall not be deemed applicable to private wharves, piers and bulkheads occupied by the respective owners thereof for special purposes.

§ 10. This act shall take effect immediately.

---

### AN ACT

TO LEGALIZE THE RESOLUTIONS PASSED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW YORK, OCTOBER 19, 1857, DIRECTING THE COMPTROLLER TO DRAW HIS WARRANT IN FAVOR OF EDWARD TIMSON AND HENRY SCHNORR.

Passed April 15, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The resolution passed by the Board of Supervisors of the county of New York, October nineteenth, eighteen hundred and fifty-seven, in the words following: "Resolved, That the Comptroller be, and he is hereby authorized and directed to draw his warrant in favor of Edward Timson and Henry Schnorr, for three hundred and forty dollars, the same having been expended by them in testing, in the Supreme Court, the right of holding their position of assessors of the Twenty-second Ward," be, and the same is hereby declared to be lawful and of binding force.

§ 3. This act shall take effect immediately.



## AN ACT

TO AMEND AN ACT ENTITLED "AN ACT TO ALTER THE MAP OR PLAN OF THE CITY OF NEW YORK, IN RESPECT TO CERTAIN STREETS IN THAT PART OF THE SAID CITY, KNOWN AS THE VILLAGE OF MANHATTANVILLE," PASSED MAY FOURTH, EIGHTEEN HUNDRED AND THIRTY-SIX.

Passed April 15, 1858.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The second section of the act entitled "An act to alter the map or plan of the city of New York, in respect to certain streets in that part of the said city, known as the village of Manhattanville, passed May fourth, eighteen hundred and thirty-six, is hereby amended so as to read as follows:

§ 2. Those parts of One hundred and twenty-sixth, One hundred and twenty-seventh and One hundred and twenty-eighth streets, respectively, which are laid out on the said map or plan of the city of New York, between the streets so known and distinguished as Manhattan street and Lawrence street, respectively, and also that all that part of One hundred and twenty-eighth street, which is laid out on the said map or plan of the city of New York, between the said street so known and distinguished as Lawrence street, and the street known and distinguished on the said map as the Tenth avenue, are hereby discontinued on the said map or plan.

§ 3. This act shall take effect immediately.

## AN ACT

TO REGULATE THE USE OF WHARVES AND SLIPS IN THE CITY OF NEW YORK, WHICH SHALL BE LEASED TO CERTAIN STEAM-BOAT LINES.

Passed April 15, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Whenever the owners of any wharves and slips on the East river, now occupied by any of the steamboat lines hereinafter mentioned, or the owners of any wharves and slips on the North river, in the city of New York, shall lease the same to the owners or proprietors of any of the regular lines of steamboats heretofore established and now engaged in the business of transporting passengers and freight between the city of New York and any place on the Hudson river, or between the city of New York and any place on Long Island Sound, or the rivers emptying into Long Island Sound, or between the city of New York and any place on Narragansett Bay, or the bays adjacent thereto, or any such steamboat running to and from the city of New York, the wharves and slips so leased shall, during the term of the lease, be kept and reserved for the exclusive use and occupancy of the steamboats of the lessees, to the extent necessary for the conducting and doing the business in which they are engaged.

§ 2. It shall be the duty of the harbor masters, or of any officer or officers of said city, who are now or hereafter shall be empowered by law, or by any ordinance of said city, to regulate and station ships and vessels in the harbor

of said city; and they shall have power to prohibit and prevent all other boats, ships and vessels from entering any of the slips, or approaching or lying at any of the wharves so let or leased, under the provisions of the first section of this act, when such slips and wharves shall be required for the use and accommodation of the lines of steamboats owned by the persons hiring or leasing the same. In case any boat, ship or vessel, not entitled, according to the provisions of this act, to use said wharves or slips, shall have entered any of said slips, or shall be lying at any of said wharves, during the continuance of such letting or lease, when such slip or wharf shall be needed or required for the use or accommodation of any of the lines of steamboats referred to in the preceding section, it shall be the duty of the said harbor masters, or other officer or officers, and they shall have power forthwith to remove such boat, ship or vessel from such slip or wharf, so far as may be necessary to accommodate the steamboats entitled, as aforesaid, to the use of said slip or wharf.

§ 3. Any person resisting, or refusing, or neglecting to comply with any order or direction of any harbor master, or other officer, given in pursuance of this act, in relation to any boat, ship or vessel, under command or control of such person, and any person whatever, who shall resist or oppose any harbor master or other officer, in the performance of the duties of his office, under this act, shall, for every such offence, forfeit and pay the sum of fifty dollars, to be recovered, collected, and applied in the manner provided for the recovery and application of the penalties imposed and specified in the third section of the act entitled "An act relating to the harbor masters of the port of New York," passed March sixteenth, eighteen hundred and fifty.



§ 4. Nothing in this act contained shall be so construed as to give to any owner or owners of wharves and slips, designated in the act passed April thirteenth, eighteen hundred and fifty-seven, entitled "An act to regulate the use of slips and wharves of the city of New York, between piers number two and number twelve, East river," power to let or lease the same, or any of them, for the purposes designated in this act. Nor shall anything herein be construed to prevent the free use of the wharves and slips so let or leased, under the provisions of the first section of this act, when such wharves and slips are not required for the use and accommodation of the steamboats, for whose use and accommodation they were hired or leased.

§ 5. The speed of the said steamboats shall not exceed eight miles per hour in passing up the East river to Corlear's Hook.

§ 6. The legislature may alter, amend, or repeal this act, and any rights or privileges conferred thereby.

§ 7. All acts, and parts of acts, inconsistent with this act, are hereby repealed.

§ 8. This act shall take effect immediately.

---

## AN ACT

IN RELATION TO THE APPOINTMENT OF POLICE JUSTICES' CLERKS IN THE CITY OF NEW YORK, AND THEIR DUTIES.

Passed April 16th, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The police justices in the city and county of New York, shall severally have power to appoint a clerk,

to be denominated "police justices' clerk," whose term of office shall extend to the end of the term for which the justice so appointing him is elected ; subject, however, to removal by the Board of Supervisors of the county, upon charges duly preferred, and upon a fair trial by said board. The accused must be served with a copy of the charges and specifications, and shall be entitled to appear by counsel.

§ 2. It shall be the duty of the clerks so appointed to attend daily at the police courts at which the justices by whom they are appointed shall severally be assigned, and, among other things, to reduce to writing all examinations and depositions, and to make out, in due form, all recognizances, and all warrants or other precepts which shall be made, taken, or issued before or by any magistrate in the said police court, and generally to do and perform all such service and business in the said police court, as shall be necessary to be done and performed in writing, and to do and perform every such other reasonable service and business relating to their trust, as shall be required of them by the magistrate or magistrates, who at the time shall be and attend in the said police court ; and they shall have the charge, under the direction of the magistrates, of all recognizances, examinations, and depositions, which shall have been taken or lodged in said police court, until the same shall be delivered to the district attorney, or otherwise filed in the proper office, according to law, as the case may be, and of all other papers in the said police court.

§ 3. All fines imposed by the several police courts, shall be received by the justices' clerks thereof respectively, who shall return the same monthly, under oath, to the chamberlain of said city.

§ 4. Before entering upon the duties of their office, the said clerks, appointed as aforesaid, shall severally take and subscribe, before the clerk of the county, the oath of office prescribed by the constitution, which oath shall be filed in the office of said county clerk. They shall also severally execute a bond, to the people of the state, in the penal sum of one thousand dollars, with sufficient sureties, to be approved by the city comptroller, conditioned for the faithful performance of their duties according to law, which bond shall be filed in the office of the said comptroller.

§ 5. The salary of the clerks appointed under this act shall be the same as now fixed by law for the present police court clerks, and the same shall be paid to them in monthly payments.

§ 6. The police justices shall have power to appoint, for the respective courts at which they may be assigned, such other clerical help, to be denominated "assistant clerks," as shall be deemed to be necessary by the Board of Supervisors of said county, upon the application of the said justices. The salary of the said assistant clerks shall be fixed by the Board of Supervisors, and their term of office shall be the same as the clerks aforesaid, subject to the same power of removal by the Board of Supervisors.

§ 7. The offices of clerk of police, or police court clerk, and of scrivener, as now existing, are hereby abolished.

§ 8. All acts, and parts of acts, as well as all ordinances, inconsistent herewith, are hereby repealed.

§ 9. This act shall take effect immediately.



## AN ACT

TO ENABLE THE SUPERVISORS OF THE CITY AND COUNTY OF  
NEW YORK TO RAISE MONEY BY TAX.

Passed April 17th, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate  
and Assembly, do enact as follows:*

SECTION 1. The Board of Supervisors of the city and county of New York are hereby empowered, as soon as conveniently may be, after the passage of this act, to order and cause to be raised by tax, on the estates, real and personal, subject to taxation according to law, a sum not exceeding three million four hundred and forty-one thousand and ninety-five dollars, for the objects and purposes following, to wit: Alms-house, six hundred and five thousand dollars; aqueduct repairs and improvements, twenty thousand dollars; board of health, ten thousand dollars; pavement, two hundred and thirty-two thousand dollars; county contingencies, fifty thousand dollars; city contingencies, eighty thousand dollars; city inspector's department, eleven thousand eight hundred and seventy-five dollars; coroners' fees, twenty thousand dollars; cleaning streets, by contract, two hundred and eighty thousand dollars; charges on arrears of taxes, five thousand dollars; charges on arrears of assessments, five thousand dollars; county jail reconstruction, twenty-five thousand dollars; contingencies, mayor's office, three thousand dollars; donations, fifteen thousand dollars; docks and piers, building and repairing, and cleaning and dredging slips, one hundred and fifty thousand dollars; election expenses, fifty thousand dollars; errors and delinquencies, five thousand dollars; fire telegraph, six thousand four hundred dollars; fire department, sixty-two thousand five hundred dollars; interest on revenue bonds,

three hundred and twenty-five thousand dollars ; interest on assessment bonds, eleven thousand dollars ; intestate estates, seven thousand dollars ; lands and places, twenty-five thousand dollars ; monument to Major-General Worth, and rail, ten thousand dollars ; markets, seven thousand dollars ; officers' fees, twenty-five thousand dollars ; obstructions, removal of, in streets and harbor, ten thousand dollars ; printing, eighty-five thousand dollars ; rents, thirty thousand dollars ; real estate, thirty-three thousand five hundred dollars ; real estate expenses, one hundred thousand dollars ; roads and avenues, and arrearages of eighteen hundred and fifty-seven, fifty thousand dollars ; roads, macadamizing Second avenue, above Sixty-first street, fifty thousand dollars ; working as a country road the Eleventh avenue, between One hundred and seventh and One hundred and forty-fourth streets, twenty thousand dollars ; repairs to public buildings, including new buildings and buildings for fire department, eighty-three thousand dollars ; Russ pavement improvement, twenty-six thousand dollars ; supplies for public offices, fifteen thousand dollars ; stationery, twenty thousand dollars ; sewers, repairing and cleaning, thirty-five thousand dollars ; salaries, five hundred and eighty-four thousand four hundred and ninety dollars ; sunken vessels, removing, five thousand dollars ; street expenses and paving, ninety thousand dollars ; society for the reformation of juvenile delinquents, eight thousand dollars ; Tompkins square, railing, twenty thousand dollars ; Twenty-second Ward station-house, twelve thousand dollars ; wells and pumps, repairing and cleaning, one thousand seven hundred dollars ; water-pipes and laying, one hundred and sixteen thousand six hundred and thirty dollars ; and for such other expenses as the Mayor, Aldermen and Common.



alty of the city of New York may be put to by law, such portion of the expense of the said city and county of New York, as relates to repairing, repaving and cleaning streets, in that part of the city lying south of a line running through to the centre of Forty-second street, shall be assessed only on that part of the said city lying south of the said line.

And also, a further sum not exceeding eight hundred and eighty-eight thousand five hundred and forty-eight dollars and sixty cents, by tax, on the estates, real and personal, subject to taxation according to law, within the said city and county, to be collected according to law, to be applied toward defraying the expenses of police in said city and county.

And also, a further sum of four hundred and sixty thousand six hundred and thirty-four dollars, by tax, on the estates, real and personal, subject to taxation according to law, within that part of the city and county of New York which is, or may be designated by the Common Council of the city of New York, by resolution or ordinance, as the Lamp District, to be collected according to law, and applied toward the expense of lighting such part of the city last mentioned.

And also, a further sum of five hundred and ninety-three thousand nine hundred and sixty-six dollars and nineteen cents, by tax, on the estates, real and personal, subject to taxation, according to law, within the said city and county, to be collected according to law, and applied toward defraying the deficiency on taxation in said city and county, for the year one thousand eight hundred and fifty-seven.

And also, the further sum of two hundred and fifty dol.



lars, by tax, on the estates, real and personal, subject to taxation, according to law, within said city and county, and to be collected according to law, to be applied to the payment for a set of plans furnished by Ira Buckman, junior, for fire look-out on the City Hall.

And also, the further sum of one hundred thousand dollars, by tax, on the estates, real and personal, subject to taxation, according to law, within the said city and county, and to be collected according to law, to be applied to the erection of a building on Blackwell's Island, to be used as a hospital, said building to be erected under the control and direction of the "Board of Ten Governors" of the Alms-house.

And also, the further sum of thirty-eight thousand two hundred and seventy-eight dollars and ninety-five cents, by tax, on the estates, real and personal, subject to taxation, according to law, within the said city and county, and to be collected according to law, to be applied towards defraying the salaries of Daniel D. Conover, who has executed the office of Street Commissioner in said city, the Deputy Street Commissioner, the heads of bureaux, clerks, and other employees of said Conover.

And also, the further sum of thirteen thousand eight hundred dollars, towards defraying the expenses incurred by said Conover in various proceedings at law.

The Comptroller of said city shall draw his warrant in favor of said Conover, to pay himself and each and all of his subordinates for salaries, upon the sworn certificate of said Conover of the time and employment by himself and each of his employees. The Comptroller shall also draw his warrant in favor of said Conover for said further sum

of thirteen thousand eight hundred dollars to reimburse him for legal expenses incurred in the various proceedings at law, arising out of the controversy relating to the Street Department.

And also, the further sum of sixteen thousand five hundred and fifty dollars, by tax, on the estates, real and personal, subject to taxation according to law, within the said city and county, and to be collected according to law, to be applied towards defraying the expenses incurred by the Board of Police for the Metropolitan police district in various proceedings at law, and the said sum to be disbursed upon the order and receipt of the treasurer of the said board of police.

§ 2. No portion of said respective sums herein-before named, shall be expended or applied to any other purposes or objects than said objects and purposes respectively, for which the Board of Supervisors of the city and county of New York are herein-before empowered to raise the same, as aforesaid.

§ 3. This act shall take effect immediately.

---

## AN ACT

TO AUTHORIZE THE MAYOR, ALDERMEN AND COMMONALTY OF THE CITY OF NEW YORK TO CONVEY CERTAIN LOTS OF GROUND TO THE NEW YORK STATE WOMAN'S HOSPITAL.

Passed April 17, 1858.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

§ 1. The Mayor, Aldermen and Commonalty of the city of New York are hereby authorized to convey to the Board

of Governors of the New York State Woman's Hospital the block of ground in said city, bounded by the Fourth avenue, Forty-ninth street, Lexington avenue and Fiftieth street, containing thirty-two lots of ground, or thereabouts; the said conveyance to be in consideration of one dollar lawful money of the United States, and to remain in full force and virtue so long as the ground herein specified shall be used for the purposes of said New York State Woman's Hospital, and no longer.

---

### AN ACT

TO AMEND AN ACT ENTITLED "AN ACT TO EXTEND THE JURISDICTION OF THE COURTS OF GENERAL AND SPECIAL SESSIONS OF THE PEACE IN AND FOR THE CITY AND COUNTY OF NEW YORK," PASSED APRIL TWELFTH, EIGHTEEN HUNDRED AND FIFTY-FIVE.

Passed April 17th, 1858.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The third section of said act is hereby amended by striking out therefrom the words: "from the Courts of Oyer and Terminer of this State, or;" and said third section, as hereby amended, shall read as follows:

§ 3. Every conviction for a capital offence, or for one punishable as a minimum punishment, by imprisonment in State Prison for life, shall be brought before the Supreme Court and Court of Appeals, from the said Court of General Sessions of the Peace, in and for the city and county of New York, by a writ of error, with a stay of proceedings as a matter of right; and the said appellate court



may order a new trial if it shall be satisfied that the verdict against the prisoner was against the weight of evidence, or against the law, or that justice requires a new trial, whether any exception shall have been taken or not in the court below.

---

### AN ACT

IN RELATION TO THE JURISDICTION OF THE MARINE AND DISTRICT COURTS OF THE CITY OF NEW YORK, IN RELATION TO THE PROCEEDINGS IN CERTAIN ACTIONS THEREIN.

Passed April 17th, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The district courts of the city of New York shall hereafter have no jurisdiction in actions against the Mayor, Aldermen, and Commonalty of the city of New York.

§ 2. The Marine Court of the city of New York shall hereafter have no jurisdiction in actions against the Mayor, Aldermen and Commonalty of the city of New York, in which the amount claimed by the plaintiff shall exceed two hundred dollars.

§ 3. The service of a notice of appeal to the general term of the said Marine Court, by the said Mayor, Aldermen and Commonalty of the city of New York, within the time required by law, from a judgment rendered by a single Justice of said Court, or to the Court of Common Pleas for the city and county of New York, from a judgment rendered by the said general term of said Marine Court, in an action in which the said the Mayor, Aldermen and Com-

monalty of the city of New York shall be a party, shall operate as a stay of all proceedings against the said the Mayor, Aldermen and Commonalty of the city of New York, upon such judgment, until the final determination of said general term of the Marine Court, or of the said Court of Common Pleas, upon the said appeal ; and in no case shall it be necessary for the said the Mayor, Aldermen and Commonalty of the city of New York, upon either of the appeals herein mentioned, to pay to the Justice or Justices of said Marine Court, the costs awarded against them upon said judgment appealed from, or to file or execute any undertaking or security whatever, upon such appeal ; nor shall the said Justices of the said Marine Court be entitled to demand or receive any fee hereafter, for making a return to the said Court of Common Pleas of the city and county of New York, upon an appeal taken by the said the Mayor, Aldermen and Commonalty of the city of New York to the said Court of Common Pleas, of the city and county of New York, from the judgment of the general term of said Marine Court, but it shall be the duty of the said Justices of the said Marine Court, in all cases of appeals by the said the Mayor, Aldermen and Commonalty of the city of New York, from a judgment of the general term of the said Marine Court, to make a full return to the said Court of Common Pleas for the city and county of New York, of all proceedings in the action in which said judgment shall have been rendered, and such return may be enforced by attachment.

§ 4. In all actions hereafter prosecuted in the said Marine Court of the city of New York, against the said the Mayor, Aldermen and Commonalty of the city of New York, a copy of the summons and complaint therein shall

be personally served upon the Mayor, or the acting Mayor of said city, and in addition thereto, a copy of such summons and complaint shall be served on the Counsel to the Corporation, in said city, at his office, by leaving the same with said Counsel in person, or with a person having charge of his said office during his absence; and no action in the said Court against the said the Mayor, Aldermen and Commonalty of the city of New York, shall be deemed to be commenced until such service shall have been made as aforesaid.

§ 5. The second subdivision of the third section of chapter three hundred and forty-four, of the laws of eighteen hundred and fifty-seven, is hereby amended so as to read as follows :

“In an action upon the charter, ordinance, or by-law of the Corporation of the city of New York, or a statute of this state, where the penalty shall not exceed two hundred and fifty dollars.”

§ 6. This act shall take effect immediately.

---

## AN ACT

IN RELATION TO FRAUDS IN ASSESSMENTS FOR LOCAL IMPROVEMENTS IN THE CITY OF NEW YORK.

Passed April 17th, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows :*

SECTION 1. If in the proceedings relative to any assessment or assessments for local improvements in the city of New York, or in the proceedings to collect the same, any fraud or irregularity shall be alleged to have been com-



mitted, the party aggrieved thereby, may apply to a Judge of the Supreme Court, in special term or in vacation, who shall thereupon, upon due notice to the Counsel of the Corporation of the city, in which the lands so assessed are situated, proceed forthwith to hear the proofs and allegations of the parties.

§ 2. If, upon such hearing, it shall appear that the alleged fraud or irregularity has been committed, the said assessments shall be vacated, and the lien created thereby, or by any subsequent proceedings, shall cease.

§ 3. On the production of the certificate of the Judge, before whom the proceedings shall be had, that a judgment vacating any assessment has been made by him, it shall be the duty of the officer having charge of the assessment lists to cancel thereon the assessments so vacated, and all proceedings under the same.

§ 4. Any person applying for relief, under the provisions of this act, may embrace in one proceeding any or all assessments for local improvements in which he is interested.

§ 5. Any lands which may be discharged from any lien for an assessment for any local improvement, may be again assessed in the manner now provided by law for such amount as would have been justly chargeable, if fraud or irregularity had not been committed; but the amount so assessed shall be a lien on said lands until paid, and shall be collectable in the manner now provided by law for the collection of assessments, but all proceedings to make a new assessment shall be at the expense of the Corporation of the city in which the lands may be situated.

§ 6. This act shall take effect immediately.

## AN ACT

TO PROVIDE FOR THE APPOINTMENT OF A CLERK AND DEPUTY OF THE COURT OF SPECIAL SESSIONS IN THE CITY AND COUNTY OF NEW YORK, AND IN RELATION TO THE JUSTICES OF SAID COURTS.

Passed April 16, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. There shall be appointed by the police justices in the city and county of New York, in the manner hereinafter provided, a clerk and deputy clerk for the Court of Special Sessions in said city and county.

§ 2. It shall be the duty of said clerk or his deputy, to enter all the proceedings of the said court, and the sentences on all convictions had therein, in full, in a book of minutes to be by him kept for that purpose; to administer the oath or affirmation required by law to be administered in the said court; to issue all subpoenas for witnesses on the part of the people, and to furnish, when required, the necessary blanks for witnesses on the part of the defence.

§ 3. Whenever sentence shall be pronounced upon any person convicted of any offence in the said Court of Special Sessions, the clerk thereof shall, as soon as may be, make out and deliver to the sheriff of the said city and county, or his deputy, a transcript of the entry of such conviction in the minutes of the said court, and of the sentence thereupon, duly certified by the said clerk, which shall be sufficient authority to such sheriff or deputy to execute such sentence, and he shall execute the same accordingly.

§ 4. All fines imposed by the said court, shall be received

by the clerk thereof, who shall return the same monthly, under oath, to the Chamberlain of the said city.

§ 5. Transcripts of convictions had in the said court, shall not be required to be certified by the magistrates holding the said court, or filed; but a duly certified copy of any such conviction, made by the clerk of the said court, shall be evidence in all courts and places, of the facts therein contained.

§ 6. The salary of the said clerk and deputy clerk, shall be fixed by the Board of Supervisors, and shall not be increased or diminished during their continuance in office; such salaries shall be paid out of the treasury of the city and county of New York, in equal monthly payments. Before entering upon the duties of their respective offices, the said clerk and deputy clerk shall severally take and subscribe, before the clerk of the county, the oath of office prescribed by the constitution, which oath shall be filed in the office of the said county clerk. They shall also severally execute a bond to the people of the state, in the penal sum of one thousand dollars, with sufficient sureties to be approved by the city Comptroller, conditioned for the faithful performance of their duties according to law, which bond shall be filed in the office of the said city Comptroller.

§ 7. The police justices of the said city shall, within twenty days after the passage of this act, meet together in the court room of the Special Sessions, at the Halls of Justice in said city, and proceed to appoint the said clerk and deputy clerk of the Special Sessions, and a majority of the whole number of police justices elected in said city shall be necessary to a choice in each instance. The term



of office of the clerk and deputy clerk first appointed under this act, shall expire at the same time with that of the police justices aforesaid; and their successors shall be appointed for the term of six years, in the same manner herein provided; in case of vacancy in either of said offices, it shall be filled in the same manner for the unexpired term.

§ 8. The said court of Special Sessions may be held by any three of the police justices, who shall sit alternately, except that one of their number may be selected to preside; and the said justices shall meet in convention and assign the justices to hold the several terms of said court. The resolution of the Board of Supervisors of said county fixing the compensation of said justices for holding said court, shall take effect from the time the said justices entered upon the performance of such duty, and said compensation shall not be increased or diminished during their term of office. The said Board of Supervisors shall fix the compensation of the temporary clerks employed in said court up to the passage of this act.

§ 9. All acts or parts of acts inconsistent with this act, are hereby repealed.

§ 10. This act shall take effect immediately.

## AN ACT

TO DECLARE THE LEGALITY OF THE USE OF CERTAIN FLOATING DOCKS, FOR THE PURPOSE OF REPAIR, COPPERING OR FINISHING OF SHIPS AND VESSELS.

Passed April 17, 1858.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. It shall be lawful for the floating docks of the New York Balance Dock Company to be used, with the consent of the owners of the piers or bulkheads occupied for such use, or of the persons entitled to collect wharfage for such piers or bulkheads, for the purpose of taking up ships and vessels for repair, coppering or finishing in the manner heretofore practised in the port of New York; subject to the existing authority of the Common Council of the city of New York, by ordinance, to regulate the use of the slips, piers and wharves of said city.

2. This act shall take effect immediately.

---

AN ACT

IN RELATION TO THE CITY HALL IN THE CITY OF NEW YORK.

Passed April 17th, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The Mayor of the city of New York shall nominate, and the Board of Supervisors shall confirm, not more than three Commissioners of the new City Hall, who shall hold their offices during the pleasure of the said Mayor and Supervisors, and all vacancies which may occur among

said Commissioners, shall be filled by said Mayor and Supervisors, as aforesaid.

§ 2. It shall be the duty of the said Commissioners to direct and superintend the erection of a building in the Park in the rear of the City Hall, of suitable dimensions and arrangement, to accommodate therein the Supreme Court, the Superior Court, the Court of Common Pleas, the Courts of Oyer and Terminer, General and Special Sessions, Surrogate's Court, Marine Court, their various offices and chambers, Grand and Petit Juries, the Sheriff, Clerks of those courts, Commissioner of Jurors, District Attorney and Law Institute.

§ 3. The said commissioners shall have power to decide upon the plans and specifications, to advertise for and receive proposals, to make contracts, and to do all things necessary for the building, completing and furnishing ready for use the said building and its several rooms, in such manner as shall, in their judgment, be best calculated to conduce to the due and convenient administration of justice in the city of New York, and the preservation of the public records therein.

§ 4. The said Commissioners shall have power to employ architects, engineers, superintendents, clerks and such other necessary assistants as may be required for the purposes of this act; the compensation of such architects, engineers, superintendents, clerks and assistants, to be fixed by the said Commissioners, by and with the consent of said judges of the said Superior Court and ——— Common Pleas, but the said Commissioners shall receive no compensation for their services.

§ 5. The said Commissioners shall keep full minutes of all their proceedings, and shall file the same with the clerk of



the Common Council, within ninety days after the completion and furnishing of said building.

§ 6. It shall be the duty of the Board of Supervisors of the county of New York, whenever called upon by said Commissioners, to raise a sum not exceeding two hundred and fifty thousand dollars by the creation of a public stock to be called the City Hall Stock, which shall be redeemable in the year eighteen hundred and seventy-five, out of the Sinking Fund of the city of New York, and shall bear an interest of six per cent. per annum, and the said building, with all its finishing and furnishing, ready for use, shall not cost any more than the said sum of two hundred and fifty thousand dollars.

§ 7. The aforesaid amount shall be paid out by the Chamberlain of the city and county of New York, in such sums and to such persons as said commissioners shall, from time to time, direct.

§ 8. It shall be lawful for said Board of Supervisors to determine what shall be the nominal amount or value of each share of said stock, and of what number of shares the same shall consist, and to sell and dispose of said shares at public auction, or otherwise, and issue certificates therefor.

§ 9. The provisions of the act entitled "An act to regulate the Finances of the city of New York," passed June eighth, eighteen hundred and twelve, shall apply to said stock, so far as the same are not inconsistent with this act.

§ 10. It shall be the duty of the said Board of Supervisors, to cause to be raised by tax, in addition to the ordinary taxes, yearly and every year, a sum sufficient to pay the interest, semi-annually, on said stock.

§ 11. The moneys to be raised by virtue of this act, shall be applied to the erection, completion and furnishing, ready for use of said building and all its parts, and for no other purpose whatever.

§ 12. The act entitled "An act authorizing the Mayor, Aldermen and Commonalty of the city of New York, to erect a new City Hall in said city, to raise money by loan for that purpose, and to appoint Commissioners for that purpose," passed April fifteenth, eighteen hundred and fifty-seven," is hereby repealed.

§ 13. This act shall take effect immediately.

---

## AN ACT

TO AUTHORIZE THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF NEW YORK, TO AUDIT AND ALLOW CERTAIN CLAIMS AGAINST SAID CITY AND COUNTY.

Passed April 17, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The Board of Supervisors of the city and county of New York, are hereby authorized to audit and allow such charges as may be reasonable and proper for services actually rendered during the year eighteen hundred and fifty-seven, for the protection and taking care of the various police station-houses in the city of New York, while not occupied by the police; and which services have not already been paid by order of the Board of Supervisors of the said city and county.

§ 2. This act shall take effect immediately.

## AN ACT

TO AMEND AN ACT ENTITLED "AN ACT RELATING TO THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW YORK," PASSED APRIL FIFTEENTH, EIGHTEEN HUNDRED AND FIFTY-SEVEN.

Passed April 17, 1858—three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The first section of the act entitled "An act relating to the Board of Supervisors of the county of New York," passed April fifteenth, eighteen hundred and fifty-seven, is hereby amended to read as follows:

The Mayor and Recorder of the city of New York shall cease to be members of the Board of Supervisors of the county of New York; the members now composing the said Board of Supervisors shall continue to be members thereof, as hereinafter mentioned; on or before the first Monday of May, eighteen hundred and fifty-eight, the present members of said Board shall meet at their usual place of meeting in said county, and the six members thereof, elected by the votes of the electors, shall then and there, in the presence of the Mayor of said city, classify themselves respectively, by lot, into six classes, and the six members of said Board appointed in December, eighteen hundred and fifty-seven, by the Mayor of said city, shall also classify themselves respectively, at the same time and place, and in the same presence and manner, into six classes; the terms of office of the two members of the first class shall expire on the thirty-first day of December, eighteen hundred and fifty-eight; the term of office of the two members of the



second class shall expire on the thirty-first day of December, eighteen hundred and fifty-nine ; the term of office of the two members of the third class shall expire on the thirty-first day of December, eighteen hundred and sixty ; the term of office of the two members of the fourth class shall expire on the thirty-first day of December, eighteen hundred and sixty-one ; the term of office of the two members of the fifth class shall expire on the thirty-first day of December, eighteen hundred and sixty-two ; and the term of office of the two members of the sixth class shall expire on the thirty-first day of December, eighteen hundred and sixty-three. At the general election to be held in the city of New York in this year, and at every succeeding general election, two Supervisors shall be voted for upon a separate general ticket, but only one name for Supervisor shall be on any one ticket, and any ticket having thereon more than one name for Supervisor, shall not be counted. The person having the highest number of votes shall be declared elected by the Board of County Canvassers, who shall canvass the votes, and all the provisions of law relating to the election of county officers in said county, are hereby applied to the election of Supervisors. On or before the fourth Wednesday of December, in each and every year, the Mayor of said city shall appoint, as a Supervisor, the person who received the highest number of votes for Supervisor, next to the votes received by the Supervisor having the return of the Board of County Canvassers, as having been elected at the election last held.

§ 2. The second section of the said act is hereby amended so as to read as follows :

The vote of seven of the members of the said Board of Su-

pervisors in the affirmative, or in favor thereof, shall be necessary to pass any ordinance or resolution appropriating money, or to fill any vacancy in said Board, or to do any act or thing, except to adjourn from day to day, and every act, ordinance or resolution, which shall have passed the said Board of Supervisors, except such as levy any special tax or taxes, or fill a vacancy in said Board, before it shall take effect, shall be presented, duly certified, to the Mayor of the city of New York, for his approval ; if he approve, he shall sign it ; if not, he shall return it, with his objections, to the Board, within ten days thereafter, or if said Board be not in session, at its next meeting after that period ; the Board shall enter the objections at large on their journal, and cause the same to be published in one or more of the daily papers of the city of New York.

§ 3. In case of any vacancy in said Board by death, resignation, or otherwise, the same shall be supplied by the remaining members thereof, and the person thus appointed shall hold his office as a member of said Board for the unexpired term of the member thereof in whose place he shall have been appointed.

§ 4. This act shall take effect immediately.

STATE OF NEW YORK,     {  
Secretary's Office.    }

I have compared the preceding with the original laws on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original laws.

Given under my hand and seal of office, at the city  
of Albany, this nineteenth day of May, in the year  
[L. s.] one thousand eight hundred and fifty-eight.

L. W. MORTON,

*Deputy Secretary of State.*



DOCUMENT No. 13.

---

BOARD OF ALDERMEN,

MAY 27, 1858.

---

The following report of the Joint Committee on Accounts in relation to unreclaimed warrants and checks found in the Comptroller's office, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

---

The Joint Committee on Accounts respectfully

REPORT:

That they have found a large number of warrants and checks, amounting in the aggregate to \$75,934 47, and bearing date from 1833 to 1856.

They were found in a safe in the Comptroller's office, the larger portion wrapped up in a piece of paper, on which was written "Charles Turner's private papers," having been deposited with Mr. Timpson, First Auditor, by Mr. Turner, at the time the controversy in the Street Department commenced, for safe keeping.

The warrants were drawn by different Comptrollers on the city treasurer, payable at such banks as kept that officer's account, at the dates when they were signed, and the checks were drawn by different Street Commissioners on the banks keeping the accounts of these officers, they having received the amounts from the city treasury, and deposited the same with the banks.

The following summary shows the number, by whom, and on what banks the warrants and checks were drawn, to wit:

By T. J. Waters, Comptroller, on the city treasurer, payable at the Mechanics' Bank; 16 warrants.....	\$1,679 57
By John Ewen, Comptroller, on the city treasurer, payable at the Mechanics' Bank; 1 warrant.....	7 25
By John Ewen, Comptroller, on the city treasurer, payable at the Mechanics' Banking Association; 6 warrants.....	246 91
By John Ewen, Comptroller, on the city treasurer, payable at the Bank of the State of New York; 7 warrants .....	485 79
By D. D. Williamson, Comptroller, on the city treasurer, payable at the Mechanics' Bank; 7 warrants.....	170 00
By D. D. Williamson, Comptroller, on the city treasurer, payable at the bank of the State of York; 23 warrants.....	769 41
By Alfred A. Smith, Comptroller, on the city treasurer, payable at the Bank of the State of New York; 71 warrants.....	5,798 36
Carried forward.....	<u>\$9,157 29</u>

Brought forward.....	\$9,157 29
By J. J. Bedient, Deputy Comptroller, on the city treasurer, payable at the Bank of the State of New York; 1 warrant.....	304 68
By A. C. Flagg, Comptroller, on the city trea- surer, payable at Mechanics' Bank; 608 war- rants.....	61,324 14
In all, 740 warrants, amounting to....	<u>\$70,786 11</u>

Also, the following checks, to wit:

By Elias L. Smith, Street Commissioner, on the Mechanics' Banking Association; 4 checks.	33 38
By Martin E. Thompson, Street Commissioner, on the Mechanics' Banking Association; 2 checks.....	67 40
By Samuel S. Doughty, Street Commissioner, on the Mechanics' Banking Association; 1 check.....	3 40
By John T. Dodge, Street Commissioner, on the Mechanics' Banking Association; 10 checks.....	334 30
By John T. Dodge, Street Commissioner, on Pacific Bank; 13 checks.....	976 17
By John T. Dodge, Street Commissioner, on Bowery Bank; 23 checks.....	923 49
By John T. Dodge, Street Commissioner, on Broadway Bank; 2 checks .....	239 88
By James Furey, Street Commissioner, on the Broadway Bank; 49 checks.....	1,122 54
By James Furey, Street Commissioner, on the Pacific Bank; 26 checks.....	1,420 77
Carried forward.....	<u>\$5,121 33</u>



Brought forward .....	\$5,121 33
By James Furey, Street Commissioner, on the Nassau Bank; 1 check .....	9 86
By James Furey, Street Commissioner, on the Seventh Ward Bank; 2 checks .....	17 17
In all, 133 checks, amounting to .....	<u>5,148 36</u>
Total amount of warrants and checks .....	<u>\$75,934 47</u>

Of the whole number, 92 warrants are drawn to the order of the Corporation, being for awards for damages in streets opening, and amounting to the sum of..... \$21,598 51

Leaving the amount of.....\$54,335 96  
to the several parties to whose order the warrants and checks are made payable.

Your Committee have caused inquiries to be made at the banks named in the foregoing statement, and find that the amount for which the checks are drawn are on deposit to the credit of the several Street Commissioners therein named, excepting that only \$15 40 appears to the credit of M. E. Thompson's account with the Mechanics' Banking Association, which is fifty-two dollars less than the amount of his checks upon this bank.

There also appears on the ledger of the same bank a balance to the credit of John Ewen, Comptroller .....	\$29 43
John Ewen, Redemption account .....	256 87
In all .....	<u>\$286 30</u>

which seems to have been overlooked in the transfers subsequently made of the city's funds.

All these balances should be deposited with the City Chamberlain.

So far as your Committee can judge, many of the persons to whose order the checks and warrants have been drawn, are not aware of their existence.

Many probably have not been called for, because the assessments to the parties are in excess of the awards for which the warrants are drawn, and many have doubtless neglected or forgotten their claims, in cases where they were for very small amounts.

Your Committee recommend that the accompanying list be advertised as the most convenient method of bringing them to the notice of those interested, and for facilitating their settlement, and the collection of such sums as may be due from the same parties to the city for assessments, &c.

That portion of the warrants drawn to the order of the Corporation should have been transferred to the proper account on the treasury ledger by charge thereto and credit to real estate account, and the warrants duly cancelled.

Either from neglect or ignorance of the proper method of keeping the real estate account of the city, that account, as it stands at present, is incorrect and unreliable, as it does not show the cost of the property to the city. In every case of awards for damage, or assessment for benefit on property of the Corporation, the real estate account should be duly credited or debited. This seems to have been overlooked by the Comptroller, and his accountants, and consequently, nothing but an examination

of the entire list of awards and assessments affecting the property of the city will enable such entries and corrections as will make the real estate account what it always should have been, a true statement of the disbursements and receipts thereupon.

Great care should be taken before payment to any parties to whom the warrants and checks described in the annexed list, are seemingly due, that any indebtedness to the city on their part be first discharged.

Your Committee recommend the adoption of the following resolutions:

*Resolved*, That the list of warrants and checks accompanying this report, be advertised for three days in the Corporation papers, omitting from such advertisement, the warrants drawn to the order of the Corporation.

*Resolved*, That the Comptroller be, and hereby is instructed to take the proper proceedings for the withdrawal of all sums which are standing to the credit of any of the former Street Commissioners, or of the present or any of the former Comptrollers, in any of the city banks, and to deposit the same with the City Chamberlain, crediting the same on the treasury ledger to a separate account, to be termed "unclaimed accounts," and that he cause to be canceled the warrants and checks, described in the annexed list, which the Street Commissioner is hereby directed to deliver to the Comptroller for this purpose, taking his receipt for the same on delivery.

*Resolved*, That the Comptroller be, and is hereby directed to make payments to the parties for whose accounts the checks and warrants were drawn, referred to in the



preceding resolution, upon their claims therefor, duly authenticated, and upon the discharge of any indebtedness on their part to the city, by the issue of new warrants, to be charged to the account termed "unclaimed accounts."

*Resolved*, That the Comptroller be, and is hereby directed, to make or cause to be made, proper entries on the books of the Finance Department, on canceling the warrants drawn to the order of the Corporation and described in the annexed list.

*Resolved*, That whereas proper entries have not been heretofore made on the books of the Finance Department for warrants drawn in payment of awards and assessments to the Corporation, the Comptroller be, and hereby is notified of this neglect, and be and hereby is directed to cause intelligible and suitable entries to be made for all awards for damage and all assessments for benefit to the property of the Corporation.

All of which is respectfully submitted.

F. I. A. BOOLE,	}	<i>Joint Committee on Accounts.</i>
HENRY HOFFMIRE,		
JAMES OWENS,		
CHAS. G. CORNELL,		
JAMES M. CROSS,		

*Warrants drawn on the City Treasurer, payable at the  
Machanics' Bank, by D. D. Williamson, Comptroller.*

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
1836:			
Oct. 10,	Henry Phillips, return costs . . . .	2272	\$7 00
June 6,	John Coe, widening and opening Mill street . . . . .	1238	100 00
July 5,	Peter Poillon, opening 121st st..	1414	5 00
Sep. 26,	James W. Bleecker, William J. Bucknall and Mary Alice and J. Bleecker, mortgagees, New st. widening . . . . .	2221	33 00
"	Benson & Van Arsdale, 116th st. opening . . . . .	2249	10 00
"	James Smith, do do ..	2250	10 00
"	Peter Poillon, do do ..	2252	5 00

*Drawn on the City Treasurer, payable at the Bank of the  
State of New York, by D. D. Williamson, Comptroller.*

1838:			
Aug. 27,	Brevort & Odell, 57th st. open'g	2697	\$305 50
"	Est. of David Stilwigen, Stone street, opening . . . . .	2660	10 00
Nov. 1,	Est. of Susan Coulthard, 5th avenue, opening . . . . .	3188	18 00
1839:			
Jan. 28,	W. E. Dodge, return costs . . . . .	287	7 00
May 20,	Geo. S. Doughty, return sale . . . .	1610	43 10
July 1,	John T. Irving, 48th street open.	2103	153 41
Carried forward . . . . .			\$707 01

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
	Brought forward.....		\$707 01
1842:			
Oct. 11,	Estate of Cornelius Kip, 29th		
	street opening .....	1909	21 39
"	T. & J. Dunkin, 29th st. opening.	1913	32
"	James A. Hamilton, do.....	1916	1 00
"	do do.....	1918	1 00
"	do do.....	1919	1 00
"	Silas M. Stilwell, do.....	1923	22 35
"	H. J. Genet, do.....	1921	40 00
"	Stephen Hendrickson, do .....	1914	36 00
"	Benj. F. Ryer, do.....	1926	6 57
"	Ogden E. Edwards, claimed by		
	J. L. Varian, 29th street op'g.	1931	53 08
"	Robert McMenomey, do.....	1932	18 45
"	Charles Graham, do.....	1935	11 24
"	Benj. B. Smith, 30th street, op'g.	1948	4 00
"	Est. of Chas. Smyth, do.....	1950	4 00
"	do do .....	1951	4 00
"	do do .....	1953	4 00
"	do do .....	1961	4 00

*By T. J. Waters, Comptroller, on City Treasurer, at  
Mechanics' Bank.*

1833:

Sept. 30,	Samuel Osborne, closing Low's		
	lane .....	1411	\$63 64
"	John E. Tompkins, do.....	1412	50 92
	Carried forward.....		\$1,053 97



Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
	Brought forward.....		\$1,053 97
1834:			
April 14,	Bertrand P. Kruger, 25th street, opening.....	531	5 00
Sept. 1,	Abm. P. Lott, Cedar st., widen'g	1460	300 00
"	Peter Kettletas, do.....	1461	300 00
"	Robert G. Livingston, do.....	1464	300 00
"	Michael Price, widening and im- proving William street and Exchange place.....	1475	28 67
1848:			
Aug. 28,	Philip Burrows, 6th av. open'g.	2244	30 00
"	Wm. Heyward, 4th av. open'g.	2217	1 00
"	James Heyward, do.....	2216	1 00
"	Nicholas Heyward, do.....	2209	1 00
"	Francis B. Cutting, do.....	2219	1 00
"	N. Y. & Harlem Railr'd Co. do.	2230	1 00
Oct. 9,	Robt. W. Ogden, sales.....	2376	273 55
Oct. 23,	Joseph Higbee, do.....	2486	63 07
July 17,	Merritt H. Smith, do.....	1896	259 72
<i>By J. J. Bedient, Deputy Comptroller, on Treasurer at the Bank of the State of New York.</i>			
1840:			
Aug. 14,	Est. of James Amery, 7th avenue, opening.....	6987	304 68
<i>By John Ewen, on Mechanics' Banking Association.</i>			
1843:			
Nov. 20,	W. Skidmore, redemption.....	261	1 92
	Carried forward.....		\$2,925 58

Date.	To whose order.	Numbers of Warrants and Checks.	Amount
1843:	Brought forward.....		\$ 2,925 58
Dec. 6,	W. A. Bedell, redemption.....	354	8 99
1844:			
April 1,	John Woodward, do .....	557	21 05
"	John Huyler, do .....	558	77 61
April 4,	J. Randolph, do .....	542	114 84
"	Sampson, do .....	543	22 50

*By John Ewen Comptroller, on Treasurer at the Bank of the  
State of New York.*

1845:			
July 1,	A. Watts, Madison av. opening..	461	81 00
"	Philip Kearney, do .....	459	8 00
Aug. 4,	Isaac Lawrence. do .....	525	254 00
1846:			
July 6,	Jesse West, 39th street, opening.	115	20 00
1847:			
May 10,	H. L. Bulkley, per J. T. Bertine,		
	sewer .....	857	11 79
"	J. P. Nesmith, Bloomingdale rd.	483	32 00
"	Harriet R. Ogden, do .....	487	79 00

*By John Ewen, Comptroller, on Treasurer at Mechanics'  
Bank.*

1848:			
July 1,	N. Y. Com. Advertiser, advertis'g		
	postponed property sales .....	1684	7 25
	Carried forward.....		\$ 3,663 61

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
	Brought forward.....		\$3,663 61

*By A. A. Smith, Comptroller, at the Bank of the State of  
New York.*

1839.

Aug. 26.	Isaac Adriance, 5th av. opening.	2660	4 00
Sept. 9.	W. C. Mulligan, 31st st. do	2744	71 82
"	James Cameron, 31st st. do	2748	129 93
Sept. 23.	George Youle, 35th st. do	2889	138 00
"	Est. of G. Rapelye, 35th st. do	2899	138 00
"	John J. Astor 46th st. do	2908	40 00
"	Wm. Winterton, 46th st. do	2906	104 00
"	Estate of Jno. B. Scoles, 130th st. opening.....	2915	125 44
Nov. 4.	Thos. J. Stephens, 27th st. open'g	3410	217 00
"	Do. 27th st. do	3411	20 00
"	Est. of N. W. Stuyvesant, 11th st.	3400	158 00
Dec. 2.	M. L. Mott, 53d street opening.	3667	18 81

1840.

Jan. 1.	James Boorman, 32d st., do.....	106	1 00
"	Est. of Peter Hattrick, 32d st. do	108	16 08
Jan. 27.	do Jas. Emery, 6th av., do..	489	1,883 00
"	James B. Murray, 36th st., do..	435	1 00
"	Susan Ogden and oth., 6th av., do	442	477 00
"	John Hart, 6th av., do .....	494	3 00
"	Henry Storms, 6th av., do.....	495	5 00
"	John Webber, do do.....	496	5 00
"	Robert Henderson do do.....	498	5 00
"	A. Watt, do do.....	499	25 00

Carried forward..... \$7,249 69



Date.	To whose order.	Numbers of Warrants and Checks	Amount.
1840.	Brought forward . . . . .		\$7,249 69
Jan. 27.	Charles Taylor, 6th av. open'g..	500	5 00
"	Thos. Simms, do do . . . .	503	212 00
Feb. 24.	Est. of S. A. Remsen, 116th st. do	1075	8 31
"	Zelia Madeline Morange, 1st av., opening . . . . .	1084	29 00
"	Morris Randall, 1st av., opening.	1085	4 00
June 29.	Heirs of Bogert Vroom and Jas. Pierce, 10th av. opening . . . .	4637	88 09
"	David Lee, do do . . . .	4638	86 04
"	Ely Moore, do do . . . .	4642	1 00
"	Joseph Gunsaal and Harris Wol- cot, 10th av., opening . . . . .	4653	1 00
July 13.	Dominick Harron, well in 22d street . . . . .	4916	25 50
Aug. 24.	Isaac Adriance, 7th av., opening	6999	2 00
"	Randall Smith, do do	7000	1 00
"	I. & C. R. Hatfield do do	7001	1 00
"	Chas. H. Hall, do do	7002	2 00
"	J. Thompson, 54th st., do	7026	150 00
"	Margaret Horn, 50th st., do	7028	1 00
"	J. Garner, 7th av., opening . . . .	6965	910 20
"	Est. of Chas. Smith, 7th av., do	6966	3 00
"	Jno. L. Norton, 7th av., do . . . .	6970	1 00
"	G. Bowroson, do do . . . .	6973	1 00
"	Jno. Wood, do do . . . .	6974	1 00
"	Hiram Betts, do do . . . .	6996	1 00
"	Moses B. Seixas, do do . . . .	6997	1 00
"	Stiles Miller, do do . . . .	6998	1 00
Carried forward . . . . .			\$8,785 83

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
1840.	Brought forward.....		\$8,785 83
Aug. 24.	Wm. Wagstaff, 7th av., open'g..	7003	1 00
"	Edward Sandford, 40th st., do..	7015	45 00
1841.			
Jan. 1.	Isaac Adriance, 83d, 84th & 85th streets, opening.....	38	1 20
"	Alex'r R. Thorp, do do..	39	20
"	Isaac M. Wooley, do do..	42	2 00
"	James H. Delamater, do do..	43	2 40
"	J. A. Camfield, do do..	44	2 00
"	Henry Storms, do do..	45	80
"	John C. Fairchild, do do..	46	40
"	A. Chandler, do do..	47	20
Mar. 22.	Stephen Allen and estate of Aug. Wright, 2d av. opening.....	944	29 96
"	Ezekiel S. Moore, 2d av., do....	951	1 19
"	Henry W. Warner, do do....	953	6 00
"	John R. Pitkin, do do....	959	62 95
"	Wm. H. Bulkley, do do....	960	62 95
"	Daniel Whitson, do do....	961	62 95
"	F. W. Lasak, do do....	962	25 62
"	H'rs of Eleanor Jones do do ...	967	109 28
"	Est. of Yellas Hopper do do....	970	128 03
"	do. Daniel Seaman, 33d street opening.....	992	10 00
"	Joseph Hurlbut, 33d st., opening.	995	103 54
"	James Boorman, do do	999	3 47
	D. S. Jones, 38th st., do.....	1004	13 00
	Carried forward .....		\$9,459 97

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
1841.	Brought forward .....		\$9,459 97
June 14.	Robert Boorman, 34th st., do...	1219	1 00
"	Thos. Salter, do do..	1218	1 00

*Drawn by A. C. Flagg, Comptroller, on Treasurer at  
Mechanics' Bank.*

1853.

May 2.	P. H. Holt, reg. 8th st.....	356	100 00
Mar. 21.	T. Farley, per P. Riley, (sewer)..	183	150 00
Aug. 8.	S. S. Huntress, curb & g. 44th st.	710	827 17
Nov. 14.	C. Beardsley, c. & g. 34 & 37 st.	1019	43 57
	do. do do	1021	19 80
	J. Murtha, do do	1020	39 60
	W. S. Ridabock, do do	1022	39 60
	W. W. Pell, do do	1025	41 97
	W. C. H. Waddell, do do	1023	19 80
	do. do do	1024	19 80
Without date.	Anthony J. Hill, 8th av. op'ng.	398	773 00

1854.

June 26.	Nancy Cadwell, opening 4th av.	828	1 00
"	do. do do.	829	1 00
June 26,	A. G. Norwood, 4th av. open'g	858	1 00
"	do do ....	859	1 00
"	H. M. Waterson, do ....	860	1 00
"	do do ....	861	322 00
"	do do ....	862	1 00
"	A. G. Norwood, do ....	863	1 00
"	do do ....	864	1 00
"	B. Clark, do ....	865	1 00

Carried forward.....\$11,867 28



Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
1854.			
	Brought forward.....		\$11,867 28
"	B. Clark, 4th avenue, opening..	866	1 00
"	A. G. Norwood, do ....	867	1 00
"	do do ....	868	1 00
"	H. Bruen, do ...	877	1 00
"	do do ....	878	1 00
"	do do ....	879	1 00
"	do do ....	880	542 00
"	do do ....	881	1 00
"	do do ....	882	1 00
"	S. B. McGown, do ....	883	1 00
"	do do ....	884	1 00
"	do do ....	885	1 00
"	do do ....	886	1 00
"	do do ....	887	1 00
"	do do ....	888	1 00
"	do do ....	889	1 00
"	do do ....	890	1 00
"	do do ....	891	1 00
"	do do ....	892	1 00
"	H. M. Wiswall, do ....	893	1 00
"	do do ....	894	1 00
"	do do ....	895	1 00
"	do do ....	896	1 00
"	Archibald Watt, do ....	897	160 00
"	H. M. Wiswall, do ....	898	1 00
"	do do ....	899	1 00
"	do do ....	900	1 00
	Carried forward.....		\$12,594 28

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
1854:			
	Brought forward.....		\$12,594 28
June 26,	A. Watt, 4th avenue, opening..	901	52 00
"	S. Titus, do .....	902	36 00
"	do do .....	903	16 00
"	do do .....	904	14 00
"	do do .....	905	13 00
"	do do .....	906	13 00
"	do do .....	907	14 00
"	do do .....	908	16 00
"	do do .....	909	36 00
"	E. S. Hubbard, do .....	910	36 00
"	do do .....	911	16 00
"	do do .....	912	14 00
"	do do .....	913	13 00
"	—— Beekman, do .....	946	40 00
"	do do .....	947	43 00
"	do do .....	948	48 00
"	do do .....	949	108 00
"	R. M. Blackwell, do .....	974	108 00
"	do do .....	975	48 00
"	do do .....	976	43 00
"	J. L. Palmer, do .....	977	40 00
"	R. M. Blackwell, do .....	981	108 00
"	Henry Elsworth, do .....	994	40 00
"	do do .....	995	43 00
"	do do .....	996	48 00
"	do do .....	997	108 00
	F. Price, do .....	998	108 00
	Carried forward.....		\$13,816 28

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
Brought forward.....			\$13,816 28
1854.			
June 26,	F. Price, 4th avenue, opening..	999	48 00
"	do do	.... 1000	43 00
"	do do	.... 1001	40 00
"	do do	.... 1002	40 00
"	do do	.... 1003	199 00
"	do do	.... 1006	43 00
"	do do	.... 1007	40 00
"	W. V. Brady,	do .... 1027	144 00
"	S. V. Bowland,	do .... 1036	144 00
"	do do	.... 1037	64 00
"	do do	.... 1038	57 00
"	do do	.... 1039	54 00
"	L. S. Sauzez,	do .... 1046	50 00
"	do do	.... 1047	47 00
"	do do	.... 1048	47 00
"	do do	.... 1049	50 00
"	W. V. Brady,	do .... 1054	50 00
"	do do	.... 1055	47 00
"	do do	.... 1056	47 00
"	do do	.... 1057	50 00
"	James Watt,	do .... 1060	126 00
"	do do	.... 1061	56 00
"	W. V. Brady,	do .... 1079	47 00
"	do do	.... 1080	50 00
"	do do	.... 1081	56 00
"	Isaac L. Brandon,	do .... 1101	136 00
"	John Bruce,	do .... 1136	1 00
Carried forward.....			\$15,592 28



Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
Brought forward .....			\$15,592 28
1854.			
June 26,	John Bruce, 4th avenue, opening.	1137	1 00
"	do do	.... 1138	1 00
"	do do	.... 1139	1 00
"	do do	.... 1140	1 00
"	do do	.... 1141	1 00
"	do do	.... 1111	1 00
"	do do	.... 1112	1 00
"	do do	.... 1113	1 00
"	do do	.... 1114	1 00
"	do do	.... 1115	1 00
"	do do	.... 1116	1 00
"	do do	.... 1132	1 00
"	do do	.... 1133	1 00
"	do do	.... 1134	1 00
"	do do	.... 1135	1 00
"	do do	.... 1143	1 00
"	do do	.... 1144	1 00
"	do do	.... 1145	1 00
"	do do	.... 1146	1 00
"	do do	.... 1147	1 00
"	do do	.... 1148	1 00
"	do do	.... 1149	1 00
"	do do	.... 1150	1 00
"	do do	.... 1151	1 00
"	do do	.... 1161	1 00
"	do do	.... 1162	1 00
"	do do	.... 1163	1 00
Carried forward .....			\$15,619 28

Date.	To whose order.	Numbers of Warrants and Checks	Amount.
Brought forward.....			\$15,619 28
1854:			
June 26,	John Bruce, 4th avenue, opening.	1164	1 00
"	S. A. Benson, do	.... 1167	1 00
"	William Binna, do	.... 1196	1 00
"	do do	.... 1197	1 00
"	W. S. Ingraham, do	.... 1198	1 00
"	do do	.... 1199	1 00
"	Charles H. Hall, do	.... 1249	1 00
"	do do	.... 1250	1 00
"	do do	.... 1265	1 00
"	Adriance & Hall, do	.... 1268	1 00
"	do do	.... 1269	1 00
"	C. H. Hall, do	.... 1270	1 00
"	do do	.... 1271	1 00
"	do do	.... 1272	1 00
"	Lewis Curtis & oth's, Trustees, do	1288	1 00
"	do do do	.. 1289	800 00
"	do do do	.. 1290	1 00
"	do do do	.. 1291	800 00
"	do do do	.. 1292	1 00
"	Corporation, 4th avenue opening	650	1 00
"	do do	.... 649	1 00
"	do do	.... 635	1 00
"	do do	.... 634	1 00
"	do do	.... 633	1 00
"	do do	.... 631	1 00
"	do do	.... 629	1 00
"	do do	.... 628	1 00
Carried forward.....			\$17,244 28

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
Brought forward.....			\$17,244 28
1854:			
June 26,	Corporation, 4th av. opening...	625	1 00
"	do do	624	1 00
"	do do	622	950 00
"	do do	621	494 00
"	do do	620	1 00
"	do do	619	1 00
"	do do	617	1 00
"	do do	614	1 00
"	do do	610	1 00
"	do do	609	1 00
"	do do	605	1 00
"	do do	604	1 00
"	do do	602	1 00
"	do do	600	1 00
"	do do	599	1 00
"	do do	595	1 00
"	do do	594	1 00
"	do do	592	1 00
"	do do	590	1443 00
"	do do	589	832 00
"	do do	588	1 00
"	do do	587	1 00
"	do do	579	1 00
"	do do	577	1 00
"	do do	575	1 00
"	do do	573	1 00
"	do do	572	1 00
Carried forward.....			\$20,986 28



Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
Brought forward.....			\$20,986 28
1854:			
June 26,	Corporation, 4th av. open'g.....	565	1 00
"	do do .....	563	1 00
"	do do .....	561	1 00
"	do do .....	560	1 00
"	do do .....	556	1392 00
"	do do .....	555	2644 00
"	do do .....	554	1 00
"	do do .....	551	1 00
"	do do .....	550	1008 00
"	do do .....	548	2372 00
"	do do .....	547	1248 00
"	do do .....	546	1248 00
"	do do .....	545	2372 00
"	do do .....	537	1 00
"	do do .....	536	1 00
"	do do .....	535	1 00
"	do do .....	534	1 00
"	do do .....	475	1 00
"	do do .....	474	1 00
"	do do .....	468	1 00
"	do do .....	467	1 00
"	do do .....	466	1 00
"	do do .....	465	1 00
"	do do .....	462	1 00
"	do do .....	461	1 00
"	do do .....	460	1 00
"	do do .....	457	1 00
Carried forward.....			\$33,290 28

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
Brought forward.....			\$33,290 28
1854.			
June 26,	Corporation, 4th av. open'g.....	453	1 00
"	do do .....	452	1 00
"	do do .....	451	1 00
"	do do .....	450	1 00
"	do do .....	448	1 00
"	do do .....	444	50 00
"	do do .....	443	1 00
"	do do .....	442	1 00
"	do do .....	441	1320 00
"	do do .....	440	1 00
"	do do .....	433	1 00
"	do do .....	432	1 00
"	do do .....	396	1 00
"	Runyan W. Martin, do .....	371	1 00
"	John B. Murray, do .....	372	1 00
"	Francis Price, per Broadway Ins. Co., mortgage.....	373	1 00
"	James D. Curtis, open'g 4th av.	375	1 00
"	Francis Price, do .....	379	1 00
"	do per John Rankin.	382	1 00
"	do do .....	391	1 00
"	do do .....	392	1 00
"	H. Wilson, trustee of F. Griffin.	394	1 00
"	Francis Price, opening 4th av..	414	1 00
"	do do .....	384	1 00
"	do do .....	415	1 00
Carried forward.....			\$34,683 28

Date.	To whose order.	Numbers of Warrants and Checks.	Amount
	Brought forward.....		\$34,683 28
1854:			
June 26,	Trustees St. Peter's & St. Patrick's		
	Cathedral, opening 4th ave..	445	1,182 00
	do do ....	447	50 00
"	Alfred Roe, per Bache McEvers, and J. R. Livingston and Henry Nicoll, executors and mortgagees.....	456	1 00
"	Wm. B. Lawrence, op'g 4th av.	488	1 00
"	do do ....	489	1 00
"	do do ....	490	1 00
"	do do ....	491	1 00
"	Charles Reade, do ....	500	1 00
"	Conrad Ritter, do ....	568	1 00
"	do do ....	571	1 00
"	James A. Pratt, do ....	615	1 00
"	Henry Cotheall, do ....	618	1 00
"	Martin R. Zabriskie, do ....	623	1 00
"	James A. Pratt, do ....	627	1 00
"	Martin R. Zabriskie. do ....	632	1 00
"	Sarah E. Simpson, do ....	645	280 00
"	I. Adriance, do ....	652	1 00
"	Isaac Spencer, do ....	653	207 00
"	do do ....	4	92 00
"	do do ....	7	1 00
"	Jas. H. Delamater, do ....	664	1 00
"	James Laker, do ....	5	299 00
"	do do ....	6	84 00
	Carried forward.....		\$36,893 28



Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
	Brought forward .....		\$36,893 28
1854:			
June 26,	Jas. McGaffagan, open'g 4th av.	676	136 00
"	do do	677	144 00
"	do do	678	970 00
"	do do	679	1 00
"	I. Adriance,	764	1 00
"	A. B. Thorp,	765	202 00
"	do do	766	90 00
"	do do	767	81 00
"	do do	768	76 00
"	J. O. B. Richards,	783	1 00
"	C. C. King,	804	1 00
"	do do	805	1 00
"	do do	806	1 00
"	do do	807	1 00
"	Mrs. McMurray,	824	1 00
"	do do	825	1 00
"	A. Watt,	838	1 00
"	do do	839	1 00
"	E. Conway,	709	1 00
"	A. Arnoux,	721	1 00
"	do do	722	1 00
"	N. Weed,	727	88 00
"	do do	728	93 00
"	I. Adriance,	731	1 00
"	do do	736	1 00
"	J. King,	737	78 00
"	do do	738	1 00
	Carried forward .....		\$38,868 28

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
Brought forward.....			\$38,868 28
1854:			
June 26,	M. McGown, opening 4th ave..	743	207 00
"	do do	744	1 00
"	A. Watt,	840	1 00
"	do do	841	643 00
"	M. McGown,	842	1 00
"	do do	844	1 00
"	do do	845	1 00
"	A. G. Norwood,	850	1 00
"	do do	851	1 00
"	M. McGown,	852	1 00
"	do do	853	1 00
"	do do	855	1 00
"	B. Clark,	856	1 00
"	do do	857	1 00
1855.			
Jan. 24,	Unknown owners, open'g 93d st.	256	50
"	do do	255	10 00
"	Edward Roberts,	254	2 00
"	Unknown owners,	253	1 00
"	do do	247	1 00
"	do do	246	1 00
"	do do	241	1 00
"	do do	239	1 00
"	do do	236	1 00
"	do do 85th st.	225	1 00
"	do do	224	1 00
"	do do	223	1 00
Carried forward.....			\$39,751 78

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
	Brought forward.....		\$39,751 78
1855:			
Jan. 24,	Unknown owners, open'g 85th st.	219	1 00
"	do do ....	218	1 00
"	do do ....	216	1 00
"	H. A. Cram and Geo. J. Cornell, 93d street opening....	250	1 00
"	James V. Freeman, 93d st. op'g.	248	1 00
"	John J. Latting, do ....	244	1 00
"	W. H. Jacobs, do ....	243	1 00
"	John D. Jones, do ....	242	1 00
"	Jacob Seabold, do ....	240	1 00
"	Daniel Lee, do . .	235	1 00
"	Henry R. Bull, do ....	234	1 00
"	James Chesterman, 85th st. op'g.	229	1 00
"	Edward Delafield, do ....	228	1 00
"	Isaac & Wm. Geery, in trust....	227	1 00
"	C. T. Cromwell, 85th st. open'g.	217	1 00
"	Unknown owners, open'g 11th st.	259	1 00
"	do do 93d st.	257	2 00
"	P. A. & F. L. Hargous, 11th av. opening.....	150	1 00
"	Thomas Lang, 11th ave. opening.	131	1 00
"	Jas. Chesterman, do ....	130	1 00
"	do do ....	129	1 00
"	John C. Thwing, do ....	128	1 00
"	J. K. Walters, do ....	124	1 00
"	J. J. F. Deraismes, do ....	123	1 00
"	J. Chesterman, do ....	119	1 00
	Carried forward.....		\$39,777 78



Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
Brought forward.....			\$39,777 78
1855:			
Jan. 24,	J. I. Coddington, 11th av. open'g	117	1 00
"	do do ....	116	1 00
"	M. D. French, do ....	106	1 00
"	James McGrath, do ....	104	1 00
"	G. H. Stryker, and W. V. Brady, mortgagees .....	102	1 00
"	Unknown owners, opening 11th avenue, 48th and 59th streets.	215	1 00
"	do do ....	213	1 00
"	do do ....	212	1 00
"	do do ....	207	1 00
"	do do ....	203	1 00
"	do do ....	202	1 00
"	do do ....	201	1 00
"	do do ....	199	1 00
"	do do ....	198	1 00
"	do do ....	195	1 00
"	do do ....	194	1 00
"	do do ....	193	1 00
"	do do ....	192	1 00
"	do do ....	188	1 00
"	do do ....	187	1 00
"	do do ..	186	1 00
"	do do ....	185	1 00
"	do do ....	184	1 00
"	do do ....	182	1 00
"	do do ....	181	1 00
Carried forward.....			\$39,802.78

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
	Brought forward.....		\$39,802 78
1855:			
Jan. 24,	Unknown owners, opening 11th avenue, 48th and 59th sts....	178	1 00
"	do do ....	177	1 00
"	do do ....	176	1 00
"	do do ....	175	1 00
"	do do ....	173	1 00
"	do do ....	172	1 00
"	do do ....	171	1 00
"	do do ....	170	1 00
"	do do ....	169	1 00
"	do do ....	168	1 00
"	do do ....	167	1 00
"	do do ....	166	1 00
"	do do ....	165	1 00
"	do do ....	164	1 00
"	do do ....	163	1 00
"	Farmers' Fire Insurance Com- pany, opening 11th avenue, 107th to 144th street.....	162	1 00
"	do do ....	161	1 00
"	R. F. Carman, do ....	160	1 00
"	D. & J. Devlin, per Marg't Ann Prall, opening 11th ave., 107th to 144th street.....	158	1 00
"	H. F. Spaulding, opening 11th avenue, 107th to 144th street.	156	1 00
"	John S. Lawrence, opening 11th avenue, 107th to 144th street.	155	1 00
	Carried forward.....		\$39,823 78

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
Brought forward.....			\$39,823 78
1855.			
Jan. 24,	Henry Large, 11th av. opening..	101	1 00
"	Anthony Schurckert, do do ..	98	1 00
"	Wm. Knoepple, C. Guth and W. V. Brady, mortgagees, do....	97	1 00
"	Jonas Conkling, do .....	96	1 00
"	do. do .....	95	1 00
"	C. & A. C. Poillon, do.....	94	1 00
"	Clarissa E. Curtis, do.....	82	1 00
"	William B. Moffatt, do .....	81	1 65
May 1.	Augustus P. Woodruff, Lessee..	1053	600 00
June 11.	Unknown owners, 122d st., opn'g	1629	1 00
"	do do do do	1628	1 00
"	do do do do	1627	1 00
"	Isaac S. Adriance.....	1623	338 00
"	Heirs of John Adriance.....	1622	830 00
"	Unknown owners, open'g 122d st	1621	1 00
"	do do	1620	1 00
"	Isaac C. Kendall do	1619	1 00
Aug. 13.	Corporation open'g, 129th, 130th and 131st streets.....	2257	337 00
"	do do ....	2259	294 00
"	do do ....	2290	1 00
"	do do ....	2292	632 00
"	do do ....	2294	184 00
"	do do ....	2330	604 00
"	do do ....	2328	64 00
"	do do ....	2234	73 00
Carried forward.....			\$43,795 43



Date.	To whose order.	Numbers of Warrants and Checks.	amount.
	Brought forward.....		\$43,795 43
1855.			
Aug. 13.	Corporation open'g, 129th, 130th and 131st streets, .....	2235	172 00
"	Hudson River Railroad Co.....	2331	1 00
"	Unknown owners, opening 129th, 130th and 131st sts.....	2327	1 00
"	George W. Lawrence, do .....	2322	1 00
"	do do .....	2324	1 00
"	Thomas N. Lawrence, do .....	2321	1 00
"	do do .....	2325	1 00
"	Hudson River Railroad Co., do.	2326	258 00
"	Unknown owners .....	2329	1 00
"	Geo. W. Lawrence, do .....	2319	1 00
"	do .....	2309	1 00
"	do .....	2311	1 00
"	do .....	2316	1 00
"	John B. Lawrence, do.....	2312	1 00
"	do .....	2315	1 00
"	do .....	2282	1 00
"	Thomas N. Lawrence, do .....	2280	1 00
"	do .....	2306	1 00
"	Edward N. Lawrence, do.....	2274	1 00
"	do .....	2286	1 00
"	George N. Lawrence, do.....	2249	1 00
"	do .....	2304	1 00
"	do .....	2307	1 00
"	L. A. Lissigall, do .....	2308	1 00
"	John Hughes, do.....	2305	1 00
	Carried forward.....		\$44,248 43

Date.	To whose order.	Numbers of Warrants and Checks.	
	Brought forward.....		\$44,248 43
1855.			
Aug. 13.	Unkn'n owners, Heirs of J. Hancock, 129th, 130th and 131st st.	2297	172 00
"	Unknown owners, do.....	2302	1 00
"	Hudson River Railroad Co do..	2293	1 00
"	Unknown owners, do.....	2291	1 00
"	Hudson River Railroad Co do..	2289	55 00
"	Unknown owners, do.....	2288	1 00
"	P. A. & L. E. Hargous, do .....	2278	1 00
"	Unknown owners, do .....	2271	1 00
"	Peter Nichols, do .....	2266	27 00
"	Unknown owners, do.....	2265	120 00
"	Hudson River Railroad Co, do..	2258	1 00
"	do do do..	2254	112 00
"	Peter A. & Lewis E. Hargous, do	2246	1 00
"	Unknown owners, do.....	2251	1 00
"	do P. Dewitt, do	2247	325 00
"	do do .....	2244	1 00
"	do do .....	2242	1 00
"	do do .....	2236	7 00
Sept. 1.	Heirs of Wm. Post, sr., widening Duane street.....	2578	3,400 00
Oct. 13.	Corporation, widen'g Duane st..	2332	328 00
Oct. 29.	do do do ..	3006	1 00
"	do do do ..	3009	1 00
"	do 92d st., opening ....	3042	1 00
"	Unknown owners, opening 83d st	3075	1 00
"	do do do	3077	1 00
	Carried forward.....		\$48,810 43

Date.	To whose order.	Numbers of Warrants and Checks	Amount.
	Brought forward.....		\$48,805 43
1855.			
Oct. 29.	Unknown owners, open'g 83d st.	3078	1 00
"	Ira Perego, do do	3076	1 00
"	Unknown owners, opening 83d st., 8th av. to Hudson river...	3070	1 00
"	do do	.... 3069	1 00
"	do do	.... 3068	1 00
"	do do	.... 3067	1 00
"	do do	.... 3066	1 00
"	do do	.... 3065	1 00
"	do do	.... 3064	1 00
"	do do	.... 3063	1 00
"	do do	.... 3062	1 00
"	do do	.... 3061	1 00
"	do do	.... 3060	1 00
"	do do	.... 3059	1 00
"	do do	.... 3058	1 00
"	do do	.... 3057	1 00
"	Thomas Hyatt, do	.... 3056	1 00
"	John Le Conte, do	.... 3055	1 00
"	Oldridge Winham, do	.... 3054	1 00
"	Joseph Shelton, do	.... 3053	1 00
"	John Le Conte, do	.... 3052	1 00
"	do do	.... 3050	1 00
"	James Ladd, do	.... 3051	1 00
"	Unknown owners, do	.... 3049	1 00
"	do do	.... 3048	1 00
"	do do	... 3046	615 00
	Carried forward.....		\$49,445 43
	3		



Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
	Brought forward.....		\$49,445 43
1855:			
"	Opening 92d street, 5th avenue to East river.....	3045	30 00
"	do do .....	3041	60 00
"	do do .....	3044	468 00
"	do do .....	3043	3 00
"	do do .....	3040	55 00
"	do do .....	3035	7 00
"	do do .....	3034	6 00
"	do do .....	3033	2 00
"	do do .....	3032	2 00
"	do do .....	3031	2 00
"	do do .....	3030	3 00
"	Matilda Pike, do .....	3029	2 00
"	Unknown owners, do .....	3028	1 00
"	Abraham Sax, do .....	3027	2 00
"	Unknown owners, do .....	3026	3 00
"	do do .....	3025	3 00
"	do do .....	3024	1 00
"	do do .....	3023	4 00
"	do do .....	3022	1 00
"	do do .....	3021	1 00
"	do do .....	3020	2 00
"	do do .....	3019	1 00
"	J. W. Goodwin, do .....	3018	5 00
"	Unknown owners, do .....	3016	1 00
"	John L. Tiffany, do .....	3015	6 00
"	Unknown owners, do .....	3014	4 00
	Carried forward.....		\$50,120 43

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
	Brought forward.....		\$50,920 43
1854.			
Oct. 29,	J. W. Goodwin, opening 92d st.,		
	5th avenue to East river.....	3013	6 00
"	Unknown owners, do .....	3012	6 00
"	Do. 80th st., 5th av. to East riv.	3008	1 00
"	Do do .....	3007	1 00
"	Daniel Fanshawe, do .....	3005	1 00
"	Alexand. McCotter, do .....	3004	1 00
"	Robert J. Brown, do .....	3003	1 00
"	Caspar C. Childs, do .....	3002	1 00
"	Henry, Joseph and Edward De-		
	lafield, do .....	3001	88 90
"	Gov'r State N. York, Trustee, do	3000	711 00
"	do do .....	2994	33 87
"	do do .....	2998	880 00
"	Henry, Joseph and Edward De-		
	lafield, do .....	2995	4 23
"	do do .....	2999	110 00
"	Unknown owners, opening 84th		
	street, 8th to 9th avenue, do.	2986	1 00
"	John C. Remsen, do .....	3071	1 00
"	Unknown owners, do .....	3074	1 00
"	do do .....	3073	1 00
"	do do .....	3072	1 00
Dec. 11,	Corporation, opening 58th street	3437	1 00
"	Hudson River Railroad Co., do.	3420	1 00
"	Mary J. Pinkney, do .....	3423	1 00
"	Unknown owners, do .....	3424	1 00
"	do do .....	3425	1 00
	Carried forward.....		\$51,976 43

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
Brought forward.....			\$51,976 43
1854.			
Dec. 11,	Rob't & Aug. Schell, op'g 58th st.	3426	1 00
"	Robert Schell, do	.... 3427	1 00
"	Heirs of F. C. Havemeyer, de-		
	ceased, do	.... 3428	1 00
"	Abigail Loweree, do	.... 3429	1 00
"	do do	.... 3430	1 00
"	Unknown owners, do	.... 3432	1 00
"	Abigail Loweree, do	.... 3431	1 00
"	Unknown owners, do	.... 3433	1 00
"	do do	.... 3434	1 00
"	John H. Talman, do	.... 3435	2000 00
"	do do	.... 3436	300 00
1856.			
March 18,	Daniel D. Nash, open'g 4th av.	450	1 00
"	Unknown owners, 62d street,		
	opening.....	427	1 00
"	Heirs of Eugene Bogart, 60th		
	street, opening.....	298	1 00
"	Lucius Hopkins, do	.... 299	1 00
"	Freeman Campbell, do	.... 300	600 00
"	Daniel S. Miller, do	.... 309	1 00
"	do do	.... 305	1 00
"	Joseph C. Hart, do	... 315	1 00
"	do do	.... 316	1 00
"	do do	.... 326	1 00
"	do do	.... 317	1 00
March 1,	Corporation, open'g 60th st ...	304	1 00
Carried forward.....			\$54,896 43



Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
Brought forward . . . . .			\$54,896 43
1856:			
March 18,	Corporation, opening 64th st.	284	800 00
"	do 62d street.	445	1 00
"	Unknown owners, do . . . .	426	1 00
"	Jos. C. Hart, and others, trus- tees, do . . . . .	425	1 00
"	Lydia Foulke, do . . . .	424	45 00
"	Hudson River Railroad Com- pany, opening 61st street. . . .	413	174 12
"	D. D. Nash, do . . . .	409	1 00
"	Edward Schell, do . . . .	408	1 00
"	Francis Price, do . . . .	406	1 00
"	do do . . . .	405	1 00
March 1,	Isaac Ostrander, do . . . .	288	1 00
"	Unknown owners, 60th st., op'g	287	1 00
"	do do . . . .	289	1 00
"	do do . . . .	291	1 00
"	do do . . . .	293	1 00
"	do do . . . .	295	1 00
"	do do . . . .	307	91 00
"	do do . . . .	306	216 00
"	do do . . . .	314	1 00
"	do do . . . .	318	44 16
"	Mary G. Pinkney, do . . . .	294	1 00
Mar. 18,	Edward Schell, do . . . .	449	1 00
"	Francis Price, do . . . .	447	1 00
"	do do . . . .	446	1 00
"	Unknown owners, 62d st., op'g.	442	306 00
Carried forward . . . . .			\$56,590 71

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
Brought forward.....			\$56,590 71
1856:			
March 18,	Unknown owners, 62d st. op'g.	441	1 00
"	do do	437	1 00
"	do do	431	1 00
"	do do	432	1 00
"	do do	435	1 00
"	John L. Brown.	438	1,013 95
"	do do	439	75 00
"	Henry Nicoll,	434	131 25
"	Hudson River Railroad Company, 62d street opening.....	457	293 79
"	Heirs of Adam Tredwell, 62d street opening.....	429	1 00
"	Sarah H. Pearce, do	433	1 00
"	Caroline Fairchild, do	456	200 00
Mar. 20,	Corporation, no number to warrant..	669	51
Feb. 11,	Joseph Ballen, 11th av. opening,	64	1 00
"	David Kimberly.....	52	1,304 00
"	D. E. Wheeler, do	67	418 00
"	do do	66	330 00
"	Heirs of Isaac Jones, do	69	1,310 00
"	Benjamin Townsend, do	75	608 00
"	Herman Thorn, do	89	289 00
"	do do	90	5,227 00
"	do do	91	451 00
"	Mary G. Pinckney, do	201	454 00
"	J. J. Palmer, spec'l receiver, do	133½	1,217 00
Feb. 29,	Courier and Enquirer, do	279	83 80
Carried forward.....			\$70,674 01

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
	Brought forward .....		\$70,674 01
1855.			
Feb. 29,	New York Express, do ....	280	108 10
Feb. 11,	Corporation, 9th avenue opening,	49	1 00
<i>Drawn by Samuel S. Doughty, Street Commissioner on Mechanics' Banking Association.</i>			
1844.			
May 28,	John Scott, redemption .....	73	3 40
<i>Drawn by Elias L. Smith, Street Commissioner, on Mechanics' Banking Association.</i>			
1845.			
July 2,	Adam Wright, redemption .....	601	80 82
Nov. 18,	T. Clarke, do .....	702	20 64
1846.			
May 16,	James W. Roosevelt, do no number..		8 80
June 1,	S. B. Stilwell, do ....	18	12
<i>Drawn by Martin E. Thompson, Street Commissioner, on Mechanics' Banking Association.</i>			
1849.			
Sept. 12,	Christopher Keys, per Corpora- tion of New York .....	370	15 40
Dec. 1,	W. V. Brady, Broadway, open'g	330	52 00
<i>Drawn by John T. Dodge, Street Commissioner, on Mechan- ics' Banking Association.</i>			
1850.			
Jan. 9,	S. B. Stillwell, redemption .....	110	8 08
"	do do ....	109	6 65
	Carried forward .....		\$70,982 02



Date.	To whose order.	Numbers of Warrants and Checks.	Amount
	Brought forward.....		\$70,982 02
1850:			
Jan. 9,	Walter Skidmore, redemption..	108	5 44
Jan. 15,	Grosvenor Clark and George		
	W. Merrill, do .....	115	13 12
"	William A. Walters, do .....	114	18 15
"	James King, do .....	113	6 23
"	James H. Suydam, do .....	117	28 27
"	S. B. Stillwell, do .....	112	10 57
"	do do .....	111	3 76
Mar. 27,	Robert Cheeseborough, sales...	160	234 03
<i>Drawn by John T. Dodge, Street Commissioner, on Pacific Bank.</i>			
1850.			
Nov. 6,	Henry Hamfield, 44th st. sewer,	143	44 00
1851.			
Feb. 26,	S. Cambrelling, return sales....	177	488 30
"	J. H. Lecount, do .....	175	63 31
June 4,	Horace Price, interest.....	620	3 07
Aug. 13,	Croton Aqueduct Department,		
	repairs.....	876	54 70
Dec. 17,	G. Swift, grading, &c., 29th st..	2045	18 00
1852.			
May 9,	Samuel Ward, return sales.....	2739	298 79
June 2,	Eugene Bogart, 59th st. opening	2845	1 00
"	G. G. Waters, do .....	2844	1 00
"	Robt. and Augustus Schell, do	2843	1 00
Nov. 17,	States Wilkins, do	3446	1 00
"	J. R. Whiting, 51st st. opening	3432	1 00
	Carried forward.....		\$72,276 76

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
	Brought forward.....		\$72,275 76
1852:			
Nov. 17,	W. V. Brady, 59th do	3442	1 00
	<i>James Furey, Street Commissioner, on Pacific Bank.</i>		
1853.			
Aug. 10,	J. J. Adair and G. Topping, regulating 44th street .....	877	18 00
"	John Cox and G. Topping, pav- ing 1st avenue.....	876	18 00
"	J. H. Ferris, regulating 51st st.	936	36 00
"	T. Farrell, do 48th st.	954	36 00
"	L. S. Huntress and P. R. Under- hill, curb and gutter 44th st.	1014	164 24
"	Godfrey Sheehan, sewer.....	918	34 00
Nov. 2,	Clarkson Crolus, certificate...	1358	19 42
Sept. 7,	R. W. Locke, regulating 49th st.	1099	18 00
"	Lynch & Hagen and P. H. Holt, regulating 8th avenue.....	1045	40 00
1854.			
Jan. 25,	Unknown owners, opening 123d street.....	1652	1 00
"	do do ....	1653	1 00
"	do do ....	1657	1 00
"	do do ....	1649	1 00
"	do do ....	1655	1 00
"	do do ....	1648	1 00
"	do do ....	1646	370 00
"	do do ....	1654	1 00
	Carried forward.....		\$73,038 42

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
Brought forward.....			\$73,038 42
<i>Drawn by James Furey, Street Commissioner, on Seventh Ward Bank.</i>			
1853.			
Oct. 5,	John P. Mills, redemption....	488	3 79
"	do do ....	487	13 38
<i>Drawn by James Furey, Street Commissioner, on Nassau Bank.</i>			
1853.			
Nov. 21,	H. P. Campbell, salary certificate	2	9 86
<i>Drawn by James Furey, Street Commissioner, on Broadway Bank.</i>			
1853.			
Mar. 23,	F. Cassidy, per L. Conway,		
	sewer.....	144	1 31
"	Mary G. Pinckney, 119 street		
	opening.....	171	1 00
"	John Bruce, do ....	167	1 00
"	P. Pollion, do ....	166	1 00
"	do do ....	161	1 00
"	do do ....	176	1 00
"	Andrew Smith, do ....	165	1 00
"	James G. King, do ....	163	1 00
"	George Gibbs, do ....	162	1 00
"	Thomas Stillman, do ....	177	1 00
"	F. Cassidy (Croton Aqueduct		
	Department,) sewer.....	138	390 02
"	F. Cassidy, per James Dunn, do	143	12 90
Carried forward .....			\$73,478 68



Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
Brought forward.....			\$73,478 68
1853:			
Mar. 23,	John Bruce, 119th street, open-		
	ing.....	178	1 00
"	John P., do.....	175	1 00
"	Mary G. Pinckney, do.....	174	1 00
April 20,	John Bolles and G. Topping,		
	regulating 2d avenue.....	219	18 00
May 18,	George Gallagher, paving 7th		
	avenue.....	310	377 65
March 23,	R. F. Price, 119th st., opening.	172	1 00
"	Unknown owners, do	164	1 00
"	do do	173	1 00
July 27,	do 62d st., opening.	591	1 00
"	do do	593	1 00
"	do do	594	1 00
"	do do	595	1 00
"	do do	596	1 00
"	do do	597	1 00
"	do do	598	1 00
"	do do	599	1 00
"	do do	587	1 00
"	do do	588	1 00
"	James Phalen, do	589	1 00
"	Unknown owners, do	590	1 00
"	Rosalie Hunter, 61st st. do	585	1 00
"	Unknown owner, 62d st. do	586	1 00
"	do 61st st. do	580	1 00
"	do do	581	1 00
Carried forward.....			\$73,896 33

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
Brought forward .....			\$73,896 33
1853:			
July 27,	Unknown owner, 61st st. op'g...	582	1 00
"	Rosalie Hunter, do	184	1 00
"	Wm. H. Jephson, do	583	1 00
"	Myndert Van Schaick, do	579	1 00
"	do do	578	1 00
"	C. P. Ludwick, Sheriff, 62d street opening.....	601	1 00
"	P. Allingham, do	600	1 00
1854.			
Jan. 11,	Henry Lewis, paving 42d st....	1207	7 50
March 8,	James Flanagan, repairing, curb and gutter, 41st street.....	1301	100 00
"	W. A. Cumming, curb, gutter, and flagging 42d street.....	1305	142 17
"	J. W. Smith and B. & D. Banks, sewer .....	1315	15 17
May 31,	W. Locker (assigned), flagging, curb and gutter, Broome st...	1610	13 50
1853.			
Dec. 14,	John L. Brown, sale of 1853....	1115	6 32
<i>Drawn by John T. Dodge, Street Commissioner, on Bowery Bank.</i>			
1851.			
May 7,	Gerard Stuyvesant, sales of 1841.	945	233 57
1852.			
June 17,	James M. Pinckney, redemption	34	78 10
Carried forward .....			\$74,499 66

Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
Brought forward . . . . .			\$74,499 66
1852:			
June 18,	W. K. Pinckney, redemption . . . .	35	7 24
Aug. 9,	William White, do . . . .	113	7 31
Sept. 10,	J. J. Gantz, 84th st. opening . .	2888	1 00
"	do do . . . .	2883	1 00
"	T. A. Davis, do . . . .	2877	1 00
"	J. Le Compte, do . . . .	2874	1 00
"	do do . . . .	2875	1 00
"	Hudson R. R. R. Co. do . . . .	2895	1 00
Sept. 22,	F. Wood, Broadway opening . .	2915	2 00
"	P. H. Lane, do . . . .	2968	82 28
"	T. A. Davis, do . . . .	2954	13 18
"	P. H. Lane, do . . . .	2967	2 00
"	Jacob H. ———, do . . . .	2897	1 00
"	Lambert Suydam, do . . . .	2909	4 80
"	Thomas Kerr, do . . . .	2988	2 00
"	Margaretta H. Ward, do . . . .	2935	479 01
"	Jacob Lorillard, do . . . .	2975	1 00
"	E. M. Bailey, do . . . .	2976	1 00
"	T. A. Davis, do . . . .	2973	1 00
"	Sarah Dickson, do . . . .	2972	1 00
"	Jacob Harser, do . . . .	2971	1 00

*Drawn by John T. Dodge, Street Commissioner, on Broadway Bank.*

1852.

July 28,	C. V. S. Kane, sales . . . . .	1296	229 88
Aug. 11,	N. P. Ramsey, Charles st. sewer.	1315	10 00
Carried forward . . . . .			\$75,351 36



Date.	To whose order.	Numbers of Warrants and Checks.	Amount.
	Brought forward.....		\$75,351 36
	<i>Drawn by James Furey, Street Commissioner, on Pacific Bank.</i>		
1853.			
Jan. 12,	P. Fohey, regulating 51st st....	14	180 00
"	Cumming & Pollock, regulating 10th avenue.....	41	250 00
April 6,	Cumming & Pollock, regulating 38th st.....	352	70 00
June 1,	Cumming & Pollock, curb and gutter, 32d st.....	520	50 00
"	Terence Ewen, filling 11th and 12th sts.....	672	39 40
"	Terence Ewen, filling 9th and 10th sts.....	673	7 52
"	Terence Ewen, filling 9th and 10th sts.....	674	25 45
"	Terence Ewen, filling 30th and 31st sts.....	675	15 07
"	James Robinson, filling 13th and 14th sts.....	671	22 67
	Total.....		\$76,011 47

DOCUMENT No. 14.

---

BOARD OF ALDERMEN,

SEPTEMBER 10, 1858.

---

The following communication from the Clerk of the Common Council, transmitting eleven chapters of the Revised Ordinances, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

---

*To the Honorable the Common Council:*

The undersigned respectfully submits herewith several chapters of the revised ordinances, as prepared by him, with a view that they be printed and referred.

The approval of your Honorable Body is necessary for these chapters, inasmuch as the officers to whom duties were assigned under their former provisions have been changed, and those upon whom those duties seem appropriately to devolve have been substituted.

These several changes are pointed out in notes attached to the separate chapters.

D. T. VALENTINE, *Clerk C. C.*

## CHAPTER

OF PAVING RE-PAVING AND REPAIRING THE CARRIAGE-WAYS  
OF STREETS AND AVENUES.

SECTION 1. All streets in the city of New York of twenty-two feet in width and upwards, shall be laid or paved in the middle, which part shall remain as a cart-way, and shall have a gutter or kennel on each side next adjoining the foot-path, and shall be paved with sufficient paving stone and arched in such a manner as the Croton Aqueduct Board shall direct.\*

§ 2. Whenever the carriage-way of any of the streets in the city of New York, or part of the same, not less than the space or distance between, and including the intersection of two streets, shall be repaired or newly paved, and the cross-walks laid, and the sidewalks extended to the width required by law, at the expense of the individual owners of the lots in the same, and the work approved by the chiefs of bureaux having special cognizance thereof; such streets, or parts of streets, shall forever thereafter be paved, repaired and repaved at the expense of the Corporation; but this section shall not be construed to apply to sidewalks, but to the pavement or carriage-way of streets only; and nothing in this section contained shall be construed to apply to any wooden pavement in said city.†

§ 3. Any citizen, or number of citizens shall be allowed to pave the street opposite to his or their property, where the same shall extend from the intersection of one cross street to the intersection of another, provided the same

---

\* Ordinance 1839, p. 185.

† Ibid, p. 186.



be done in conformity to the regulations of the Common Council.\*

§ 4. All pavements hereafter to be laid in any of the streets or lanes of this city, by the Water Purveyor or contractors for the construction of sewers, or for the laying of any water, gas or other pipes, shall, after the pavement is laid or driven down, have covered over them one inch in thickness of pure sand, and no more.†

§ 5. Any and all persons other than the Water Purveyor, who may hereafter pave, or cause to be paved, any street, lane or other thoroughfare, or portion thereof in this city, shall have the sand, dirt and rubbish cleaned off said street, lane or thoroughfare, or any part thereof, within twelve days after any such pavement shall be completed, except such pavement as shall be laid over pipes, which shall be cleared off within six days after the same shall be laid; this section shall be so construed as to apply to the removal of all sand, dirt or rubbish collected in any part of any and all streets, lanes and thoroughfares covered by any pavement so done or laid, or excavation that may have been made, or other work done in pursuance thereof; and no contract for paving, in pursuance of this section, shall be accepted as completed, unless the Water Purveyor shall certify that this section has been fully complied with.‡

§ 6. Any person or persons, excepting the Water Purveyor, neglecting or refusing to remove the dirt, sand or rubbish, mentioned in section five of this chapter, within the time specified therein, shall forfeit and pay the

\* Ordinance 1839, pp. 185-6.

† Ord. Aug. 9, 1849.

‡ Ibid.

sum of twenty-five dollars for each offence; and in addition thereto the Water Purveyor shall cause the same to be removed at the expense of the party so neglecting or refusing, who shall be liable to repay and refund the same, and which shall be collected and paid into the city treasury.\*

§ 7. Any contractors, or other person or persons, causing any cart to be loaded and heaped up with manure, sand, earth, mud, clay or rubbish, so that the contents, or any part thereof, shall be scattered in any street, avenue, lane, pier or bulkhead in this city, shall forfeit and pay the sum of five dollars for each offence.†

§ 8. It shall not be lawful for either of the gas companies of this city, to break up any of the pavements of this city, without the permission of the Croton Aqueduct Board, and such consent shall not be given until the party applying therefor shall enter into a stipulation, satisfactory to the said Board, to repair and replace the said pavement to the satisfaction of the said Board at his and their own expense, by a day to be named in such permit; and if any person or persons shall neglect and refuse to repair and replace the same, in accordance with such stipulation and permit, they shall forfeit and pay for each offence the sum of fifty dollars; and in addition thereto, shall be liable to pay the expense of repairing and replacing such pavement, and which shall be done by and under the direction of the Water Purveyor.‡

§ 9. It shall be lawful for the persons employed to pave or repave any street in the city of New York, to place

---

\* Ordinance Aug. 9, 1849.

† Ibid.

‡ Ibid.

proper obstructions across such street or cart-way, for the purpose of preserving the pavement then newly made, or to be made, until the same shall be fit for use; leaving at all times a sufficient passage for foot passengers, and giving at least three day's notice of such obstruction, by written or printed notices, put up in at least three of the most conspicuous places in the street.\*

§ 10. No person or persons shall, without the consent of the Water Purveyor, in writing, or without the consent of the person superintending said paving, throw down, displace or remove any such obstruction mentioned in the last preceding section of this title, under the penalty of fifteen dollars for every such offence.†

§ 11. Nothing contained in this title shall be construed to authorize any person or persons to stop up or obstruct more than the space of one block and one intersection at the same time, in any one street, or to keep the same so stopped up for more than two days after the cart-way is finished.‡

§ 12. Whenever any person or persons shall have authority, under any contract with the Corporation, or any officer thereof, or under any permit authorizing the same, to remove the pavement from, or to excavate, or to occupy or use any part of the public streets and avenues in the city, so as to obstruct the travel in any streets or avenues, and to prevent the same from being used for the time being for the purposes of travel, such person or persons shall erect, or cause to be erected, in conspicuous positions, at the several points of intersection of such street

---

\* Ordinance 1839, pp. 187-8.

† Ord. 1839, p. 187.

‡ Ibid.



or avenue so obstructed, with the cross streets nearest to such obstruction, a suitable notice of such obstruction; which notice shall be in such manner and form as the Croton Aqueduct Board may at any time direct.\*

§ 13. Every person who shall violate this provision shall be subject to a penalty of ten dollars, to be sued for and recovered in any court of competent jurisdiction.†

§ 14. Whenever two thirds in interest of the owners of property, on any street or avenue of the city of New York, or any portion of any such street or avenue to the extent of one block or more, shall file with the Croton Aqueduct Board an application to have such street or avenue, or portion of such street or avenue, paved with the grooved "Russ pavement," it shall be the duty of the said Board to give all requisite permission and authority to Messrs. Russ & Reid, to construct such pavement to the extent specified in said application; and one third of the expense of such paving, to wit:—The sum of two dollars and seventeen cents per superficial square yard shall be borne and paid by the Mayor, Aldermen and Commonalty of the city of New York, in the like manner as payment is now borne and paid for paving and regulating streets in the city of New York, and such payment shall become due upon the completion of such work to the extent of such application, and the Croton Aqueduct Board is hereby authorized, upon the filing of any such application, to make and execute the necessary contract with the said Russ & Reid, in conformity with the regulations and provisions of the ordinance. The remaining portion of the expense of such paving to be borne by

---

\* Ordinance May 18, 1852.

† Ibid.

the owners of property, as may be agreed upon by them, and the said Russ & Reid.\*

§ 15. Such work shall be done under the supervision and inspection of the Water Purveyor.†

§ 16. It shall be lawful for the Croton Aqueduct Board to pay the full cost of the said Russ pavement, for the intersection of any streets or avenues, not exceeding the sum of six dollars and fifty cents, for each superficial square yard, provided that said pavement shall have been laid on both sides of said intersection.‡

§ 17. Nothing in this ordinance shall give or recognize any right, claim or demand, against the Mayor, Aldermen and Commonalty of the city of New York, by the said Russ & Reid, for any work done by them under this ordinance, over and above the amount provided to be paid in and by the 14th and 16th sections of this chapter.§

§ 18. The amount to be paid by the Mayor, Aldermen and Commonalty of the city of New York, for work done under and by virtue of the two last mentioned sections of this chapter, shall not exceed the sum of fifty thousand dollars in any one year.||

§ 19. The Croton Aqueduct Board shall keep a book, containing an account of all streets, and parts of streets to be paved, repaired and repaved, at the expense of the Corporation.¶

\* Ord. Dec. 23d, 1852.

† Ibid.

‡ Ibid.

§ Ibid.

|| Ibid.

¶ Ord. of 1839, p. 186.

REVISER'S NOTE.—This branch of the ordinances has been heretofore conjoined with the flagging, &c., of sidewalks; but, as by the charter of 1857, the cognizance of these respective subjects has been placed under different departments, the Reviser has separated them, but carefully retained the provisions applicable to each.

The section of the charter of 1857, which places the subject of "paving, repaving and repairing streets," under the charge of the Croton Aqueduct Board, is No. 24. By the same section, the Water Purveyor is the chief of the bureau having cognizance of this subject.

The Reviser has merely changed the titles of the officers charged with duties under this ordinance, to conform, in his judgment, with the appropriate officers under the charter.



## CHAPTER

OF FLAGGING AND LAYING AND REPAIRING SIDEWALKS, AND  
CURB AND GUTTER STONES.

§ 1. All streets in the city of New York, of twenty-two feet in width and upward, shall have sidewalks on each side thereof, laid with brown, or gray, or oblong flat stones.\*

§ 2. In all streets in the city of New York, of the width of forty feet and upward, which are paved, or shall hereafter be paved or repaved, the sidewalks or footwalks between the lines of the streets and kennels shall be of the following width, that is to say:

1. In all streets forty feet wide, ten feet.
2. In all streets fifty feet wide, thirteen feet.
3. In all streets sixty feet wide, fifteen feet.
4. In all streets seventy feet wide, eighteen feet.
5. In all streets eighty feet wide, nineteen feet.
6. In all streets above eighty feet, and not exceeding one hundred feet, twenty feet.
7. In all streets of more than one hundred feet, twenty-two feet, and no more.†

§ 3. In all streets less than forty feet in width, such proportion thereof as may be directed by the Street Commissioner, shall be used and flagged for sidewalks and foot-paths.‡

---

\* Ord. of 1839, p. 185.

† Ord. of 1839, p. 188.

Ibid.

§ 4. All sidewalks in the city of New York shall be raised from the curb stone in the proportion of two inches on ten feet, under the penalty of ten dollars, to be sued for and recovered from the persons laying and fixing the same, and the owner or owners of the lot fronting on the sidewalk, severally and respectively.\*

§ 5. No person shall extend the sidewalk before his lot beyond that of his neighbor, in any street where the same is not yet extended to the width allowed by law, under the penalty of ten dollars for each offence, to be sued for and recovered from the person or persons so violating, and the owner or owners of the lots fronting on such sidewalk, severally and respectively.†

§ 6. The last preceding section of this chapter shall not be construed to prevent the extending of any such sidewalks, when a majority of the owners of property on the same side of the street, and between the two nearest corners, by and with the permission of the Street Commissioner, agree to and do extend the sidewalks in front of their respective lots of ground in like manner.‡

§ 7. No sidewalk, or any part of a sidewalk, laid with brick or flagging, in any part of the city of New York, shall hereafter be taken up, or the brick or flagging removed therefrom, for any purpose whatever, without the written permission of the Street Commissioner, under the penalty of twenty-five dollars for every such offence.§

§ 8. All private cart-ways crossing any of the sidewalks of the city of New York, and all sidewalks whatever, to the south of streets, includ-

---

\* Ord. of 1839, p. 188.

† Ord. of 1839, p. 189,

‡ Ibid.

§ Ord. of 1839, pp. 189-90.

ing said streets, shall be paved with brown or gray square, oblong or flat stones, hewn and laid closely together; and not with brick or with round or paving stones, under the penalty of ten dollars upon the owner and occupant of the lot in front of which such cart-way or sidewalk shall be, severally and respectively.\*

§ 9. In case any part of such private cart-way, or any part of such sidewalk shall not be paved, repaved or repaired according to the provisions of the last section, it shall be lawful for the said Street Commissioner, or Superintendent of Street Improvements, to order, in writing, the same to be done, within a time mentioned in such order; at the expiration of which time the same may be done under the direction of the said commissioner or superintendent, and the expense thereof collected of the owner or owners, occupant or occupants of the lot fronting thereon.†

§ 10. All curb stones which shall hereafter be laid for the purpose of supporting the sidewalks, shall not be less than three feet in length, five inches thick, and twenty inches wide throughout, and shall be of the best hard blue or gray granite, and cut, prepared and laid in the following manner, that is to say: ten inches of the stone shall be laid below the kennel, and ten inches above it, except where the length of curb stone to be laid or relaid shall be less than the space between the streets crossing that in which it is to be laid, in which case if the curb stone in front of the lots adjoining shall be put eight inches above the gutter stone, the curb to be laid or raised as aforesaid, shall not be placed more than eight inches above the

---

\* Ord. of 1839, p. 190.

† Ibid.



gutter stone, unless the person or persons laying or relaying the same, shall, by permission of the owner or owners of the lots adjoining, at his, her or their own expense, raise the adjoining sidewalk or sidewalks, and repave the same in a proper manner, for a space of at least five feet in width, so as to prevent any abrupt irregularity in the pavement of the sidewalk; the top of the stone shall be cut to a bevel of one inch, the front be cut smooth, and to a fair line to the depth of fourteen inches; the ends from top to bottom to be truly squared, so as to form close and even joints; and the front so laid as to present a fair and unbroken line, under the penalty of ten dollars for each or any violation of either of the provisions of this section, to be sued for and recovered from the persons laying and fixing the same, and the owner or owners of the lot fronting on the sidewalk so fixed, severally and respectively.\*

§ 11. If any street, when paved, shall not exactly range, the gutter or outside of the foot-path or sidewalk, shall be laid out and made as nearly in a straight line as the street will permit; and the ascent and descent of the same shall be regulated by the Superintendent of Street Improvements, and a profile thereof, with the regulations distinctly marked thereon, shall be deposited and kept in the office of the Street Commissioner.†

§ 12. When any carriage-way shall have been paved, and a majority of the owners of lots on the same block shall have regulated and paved their sidewalks, the Street Commissioner shall give notice to the owner or owners, or occupant or occupants, of any lots in front of which the sidewalks shall not be paved, to regulate and pave the

---

\* Ord. of 1839, p. 191.

† Ord. of 1839, p. 185.

same, within a certain time, to be designated in such notice.\*

§ 13. In case of any neglect or refusal to comply with the requisitions contained in the notice mentioned in the last preceding section, the owner or owners, occupant or occupants, shall forfeit the penalty of twenty-five dollars for each neglect or refusal, severally and respectively.\*

§ 14. The owner or owners, lessee or lessees, occupant or occupants of any house or other building or vacant lot fronting on any street or avenue, shall, at his, her, or their charge and expense, well and sufficiently pave, according to the ordinances, and keep and maintain in good repair, the sidewalks and curb and gutter of such street or avenue, in front of any such house or other building, or vacant lot.†

§ 15. Upon complaint being made to the Street Commissioner, to his satisfaction, that any sidewalk and curb and gutter, or either, are not paved or repaired according to the ordinances, it shall be lawful for the said Commissioner to cause a notice to be served upon the owner or owners, lessee or lessees, occupant or occupants, of any such house or other building, or vacant lot of ground fronting on any street or avenue, to repair or relay, as the case may require, the sidewalk and curb and gutter, or either, in front of the same, within ten days after the service of such notice.‡

§ 16. In default of such owner or owners, lessee or lessees, occupant or occupants, repairing or relaying, as the case may require, such sidewalks and curb and gutter, or either, within the time required by said notice, and com-

---

Ord. of 1839, p. 191.

† Ord. of Dec. 29, 1853.

‡ Ibid.

plying with the said notice, it shall be lawful for the Street Commissioner to order the same to be done, and in case the expense thereof shall not exceed the sum of two hundred and fifty dollars, to appoint such person or persons to do the same as he shall deem proper; and in case such expense shall exceed the aforesaid sum of two hundred and fifty dollars, the same shall be done by contract, according to the ordinances.\*

§ 17. The expense of such work, together with the expense of surveying the same, and certifying to the work done and materials furnished by one of the city surveyors, shall be paid out of the appropriation for sidewalks.\*

§ 18. It shall be the duty of the Street Commissioner, immediately upon the completion of such work, and the payment thereof, to report the same to the Corporation Attorney, who shall recover the amount to be paid, with ten dollars as penalty, from the owner or owners, lessee or lessees, occupant or occupants, of any such house or other building, in front of which the expense was incurred, in any court having jurisdiction thereof, in the name of the Mayor, Aldermen and Commonalty of the city of New York.\*

§ 19. It shall be the duty of the Corporation Attorney, in returning to the Comptroller an account of moneys recovered in such suits, to specify that the same were recovered "for penalties on sidewalks," and it shall be the duty of the Comptroller to credit the amount thus paid to the fund appropriated as aforesaid.\*

---

\* Ord. of Dec. 29, 1853.



REVISERS'S NOTE.—The subject of flagging sidewalks was, until the late charter, under the charge of the Department of the Commissioner of Repairs and Supplies, subject to whom and having charge of this particular branch was the Superintendent of Pavements.

The charter of 1857 places the subject of "flagging, curbing and guttering streets" under the Street Department, and subordinately under the bureau of the Superintendent of Street Improvements.

The changes made in the ordinances are only such as are necessary to meet this new division of duties.

In section 8, there is a blank left to be filled up. It was in the ordinance of 1839 filled by Delancey and Spring streets.

## CHAPTER

## OF THE CONSTRUCTION OF SEWERS AND DRAINS.

§ 1. All sewers or drains in any of the streets, avenues, and public places in the city of New York, shall be in charge of the Croton Aqueduct Board, whose duty it shall be to keep the same in good order and condition, to cause such repairs to be made to them, and to the receiving basins, culverts, openings, or any part connected therewith, as may, from time to time, become necessary, and to cause the same to be well and sufficiently cleansed, and kept free from obstructions.\*

§ 2. The manner of piercing or opening into any of said sewers or drains shall be prescribed by said Board, which shall also determine the form, size and material of which all connections made therewith shall be composed, and shall have authority to grant permission to make lateral connections with said sewers.†

§ 3. The Croton Aqueduct Board shall have authority to grant permission to persons to construct, at their own expense, sewers or drains, or to lay pipes, to connect with any sewers or drains built in any of the streets or avenues of the city, which they may deem proper and judicious, on being furnished by the applicants with the written consent of a majority of the owners of property of the street or avenue in front of which said sewer, drain or pipe is to pass: such permission to be conditioned that

---

\* Ord. Jan. 26, 1846.

† Ibid.

the persons applying therefor shall comply with the ordinances of the Corporation in relation to excavating the streets, be responsible for damages or injuries caused to persons, animals or property, by reason of any neglect or carelessness connected with the work permitted; that no claim be made by them, or their successors in interest, if the same be taken up by authority of the Corporation; nor exemption from assessment for building sewers or drains in the vicinity of their property.\*

§ 4. No connection shall be made with any sewer or drain, without the written permission of the Croton Aqueduct Board; and any connection or opening made into any sewer or drain without such permission, or in a manner different from the mode prescribed for such opening by said Board, shall subject the person making the same, and the owner of the premises directing it, respectively, to a penalty of fifty dollars.\*

§ 5. All permissions given by the said Board, to connect with sewers and drains, and all sewers, drains or pipes constructed and laid by their permission, to connect with any sewers or drains in any of the streets or avenues of the city, shall be upon the express condition that the Mayor, Aldermen and Commonalty of this city may at any time revoke and annul the same; and the persons making such connections, or their successors in interest, shall have no right to demand or claim any damages in consequence of such permission being revoked and annulled.\*

§ 6. All openings into any streets or drains for the

---

\* Ord. Jan. 26, 1846



purpose of making connection therewith from any house, cellar, vault, yard or other premises, shall be made by persons to be licensed by the Croton Aqueduct Board, in writing, to perform such work; and the said persons before being so licensed, shall execute a bond to the Mayor, Aldermen and Commonalty of the city of New York, in a sufficient penal sum, with surety, conditioned that they will carefully make the openings into any sewers or drains in the manner prescribed by said Board without injuring them; leave no obstructions of any description whatever in them, and properly close up the sewer or drain around the connection made by them, and make no opening into the arch of any sewer or drain; that they will faithfully comply with the ordinances relating to opening and excavating streets, be responsible for any damages or injuries that may occur to persons, animals or property, by reason of any neglect or carelessness on their part, connected with said work, and that they will properly refill and ram the earth, and suitably restore the pavement taken up for excavating, and repave the same, should it settle or become out of order within three months thereafter; and in case any person so licensed shall neglect to repair the pavement aforesaid within twenty-four hours after being notified, the said Board may cause the same to be done, and charge the expense thereof to the person so neglecting.\*

§ 7. Ten dollars shall be paid to the said Board for permission to connect from each house, store or building, with any sewer or drain. Each hotel, boarding-house, or public building, covering more ground than twenty-five

---

\* Ord. Jan. 26, 1846.

feet by fifty feet, shall pay proportionally for such additional space of ground covered by each respectively. Manufactories, breweries, distilleries and the like, for permission to connect with sewers or drains, for the purpose of carrying off water or fluid that will not deposit sediment or obstruction, shall pay such sums as shall be fixed and determined by said Board; and any manufacturer, brewer, distiller or the like, permitting any substance to flow into any sewer, drain or receiving basin, which shall form a deposit that tends to fill said sewer, drain or basin, shall be subject to a penalty of fifty dollars for each offence.\*

§ 8. The Board aforesaid shall keep a record of all permits granted by them for connections with sewers or drains, and shall pay to the treasurer of the city all sums received by them, by virtue of this chapter, and render an account thereof, once in each month, to the Comptroller, verified by oath or affirmation; the sums so paid and accounted for, shall be applied towards repaying the expenditures incurred by the treasury on account of repairs to, and cleaning of, sewers, drains and their appendages; and said Board is authorized to draw upon the Comptroller, from time to time, for such necessary sums as shall be required for the due carrying into effect the provisions of this chapter; and they shall, once in each month, render an account to the Comptroller, with the vouchers thereof, of all moneys expended by him, drawn as aforesaid.\*

§ 9. All connections with sewers or drains, used for the purpose of carrying off animal refuse from water closets or otherwise, and slops of kitchens, shall have

---

\* Ord. of Jan. 26, 1846.

fixtures for a sufficiency of Croton water, to be so applied as to properly carry off such matters, under the penalty of five dollars for each day the same are permitted to remain without such fixtures for supplying said water.\*

§ 10. Said Board shall have authority to employ a suitable person, at a compensation not to exceed one dollar and fifty cents per day, to examine the condition of all sewers, receiving basins, culverts and their appendages, and fixtures to connections therewith.\*

§ 11. No butcher's offal, or garbage, dead animals, or obstructions of any kind whatsoever, shall be placed, thrown or deposited in any receiving basin or sewer; and any person so offending or causing any such obstruction or substance to be placed so as to be carried into such basin or sewer, shall be subject to a penalty of ten dollars for each offence; and any person injuring, breaking or removing any portion of any receiving basin, covering flag, man-hole, vent or any part of any sewer or drain, or obstructing the mouth of any sewer or drain, shall be subject to a penalty of twenty dollars for each offence; nor shall any quantity of marble or other stone, iron, lead, timber, or any other substance, exceeding one ton in weight, be placed or deposited upon any wharf or bulk-head through which any sewer or drain may run; nor upon or over any sewer or drain where the same shall be within three feet of the surface of the street, under the penalty of fifty dollars for each offence, to be recovered of the person or persons causing or permitting the same.\*

§ 12. It shall be the duty of the policemen of the several wards to be vigilant in the enforcement of the pro-

---

\* Ord. of Jan. 26, 1846.



visions of this ordinance, and report any violations thereof to the Corporation Attorney. The captains of the several police districts shall, on observing or being informed of the opening of, or excavating in, any street or avenue, require the person making such opening or excavation, to exhibit to him the authority or permission for such opening, and if none have been given by the proper officer, or if the exhibition thereof be refused, said captain of police shall, without delay, make complaint to the Attorney of the Corporation, and report the same to the Croton Aqueduct Board.\*

§ 13. It shall be the duty of every person having charge of the sweeping and cleaning of the streets in the several wards, to see that the gutters are properly scraped out before the water is suffered to flow from any hydrant for the purpose of washing the same, in order that no substance or obstruction be carried into any of the receiving basins; every person violating this section, to be subject to a penalty of five dollars for each offence.\*

§ 14. In the building of all sewers under ordinances of the Common Council, it shall be discretionary with the executive department, under whose direction the same are ordered to be built, to lay so many connection pipes from the sewers to the line of curb stones, as the said department may deem necessary, unless otherwise ordered by the Common Council; the expense thereof to be borne by the owners or occupants of the houses and lots intended to be benefited thereby.†

§ 15. Whenever a sewer or culvert is to be constructed,

\*Ord. Jan. 26, 1846.

† Ord. May 4, 1850.

altered, or repaired in any street in the city of New York, in which the gas pipes of either the Manhattan or New York Gaslight companies are laid, it shall be the duty of the contractor or contractors thereof, to give notice in writing, of the same to the said companies, or to the one whose pipes are laid in the street about being disturbed by the construction, alteration, or repairing of such sewer or culvert, at least twenty-four hours before breaking ground therefor.\*

§ 16. It shall be the duty of the said gas companies, or the one whose pipes are about being disturbed by the construction, alteration or repairing of any sewer or culvert, on the receipt of the notice provided for in the preceding section, to remove or otherwise protect and replace the main and service pipes, lamp-posts, and lamps when necessary, under the direction of the Croton Aqueduct Board, and all expenses or damages incurred or sustained by either of the said companies thereby, unless the same shall have been caused by or through the negligence or carelessness of the contractor or contractors, or neglect of said companies, shall form a portion of the expenses of such sewer or culvert, and shall be assessed and collected in the same manner as the other expenses thereof—provided, however, that the company notified in accordance with the preceding section shall comply with such notice, by causing the pipes, lamp-posts and lamps to be protected and replaced when necessary, during the progress of the work, and shall also furnish a bill of such expenses or damages, if any, duly certified by the inspector appointed by the Croton Aqueduct Board, to the assessors of said sewer or

---

\* Ord. March 9, 1849.

culvert, within five days after receipt of notice of the completion thereof.\*

§ 17. The said inspector, appointed by the Croton Aqueduct Board, shall, in addition to the usual certificate, furnish to the said assessors a certificate, stating whether or not such expenses, or damages, or any and what part thereof, have been caused by or through the negligence or carelessness of the contractor or contractors of the sewer or culvert, and any such expenses or damages as shall be so certified to have been caused by the negligence or carelessness of the contractor or contractors, shall be charged to him or them, and shall be deducted from the amount to be paid him or them, and shall be paid to the company by whom such bill shall have been rendered.\*

§ 18. The preceding provisions shall be made part of every contract hereafter made for constructing, altering or repairing any sewer or culvert in any street of this city in which the pipes of either the Manhattan or New York Gaslight companies shall be laid, at the time of making such contract.\*

§ 19. It shall be the duty of the person or persons by whom or for whose benefit any excavation is to be made for constructing, altering, or repairing a vault, waste-pipe or drain, in any street of this city, to give notice, in writing, thereof, to the company whose pipes are laid in the street about to be disturbed by the construction, alteration or repairing of such vault, waste-pipe or drain, at least twenty-four hours before commencing the same, and such person or persons shall, at his or their expense, sustain, secure and protect said pipes from injury, and re.

---

\* Ord. March 9, 1849.



place and pack the earth wherever the same shall have been removed, loosened or disturbed, under or around them, so that such pipes shall be well and substantially supported; and if such person or persons shall fail so to sustain, secure and protect said pipes from injury, or to replace and pack the earth under or around them, as by the provisions of this section required, then the same may be done by the company to whom the same may belong, and the cost thereof, and all damages sustained by either of said companies thereby, shall be paid by said person or persons to said company, and the said company may, in default thereof, maintain an action against him or them therefor.\*

§ 20. The provisions of the last preceding section shall be made part and a condition of every permit that shall be hereafter granted to any person or persons for making any excavation for the construction, alteration or repairing any vault, waste-pipe or drain in any street in which the pipes of either of the said companies shall be laid at the time of granting such permit, provided said company, or either of them, provide said permits, or pay a just proportion therefor.\*

§ 21. No person, unless authorized by the Manhattan Gaslight Company, shall at any time light, or cause to be lighted, any public lamp which said company is or shall be required to light, under their contract made with the Mayor, Aldermen and Commonalty of the city of New York, dated 5th May, 1848; and no person, unless authorized by the New York Gaslight Company, shall at any time light, or cause to be lighted, any public lamp which

---

\* Ord. March 9, 1849.

the said New York Gaslight Company is or shall be required to light under their contract, made with the said Mayor, Aldermen and Commonalty of the said city. Any person violating the provision of this section shall thereby incur and be liable to a penalty of five dollars, payable to the company whose lamps shall be so lighted, or caused to be lighted, for every such violation, and either of said companies shall be liable to a like fine of five dollars, for wilfully neglecting to light any lamp according to contract, said fine to be payable to the city treasury.\*

---

\* Ord. March 9, 1849.

REVISER'S NOTE.—The only amendments to the foregoing sections are the substitute of "the Croton Aqueduct Board" for the "Street Commissioner," in three or four of the sections.

Although the subject of sewers has always been under the Croton Aqueduct Board, yet as street paving was formerly under the Street Commissioner, the ordinances placed the subject of repairing the streets, after the pavement had been disturbed, in charge of the Street Commissioner.

Now, as street paving, repairing, &c., is under the cognizance of the Croton Aqueduct Board, the Reviser has supposed this alteration proper.



## CHAPTER

## OF THE CONSTRUCTION OF VAULTS, CISTERNS AND AREAS.

SEC. 1. The Croton Aqueduct Board, on application for that purpose, during the recess of the Common Council, is hereby empowered to give permission to construct any vaults or cisterns in the streets, provided in the opinion of a majority of said Board no injury will come to the public thereby.\*

§ 2. No person shall cause or procure any vault or cistern to be constructed or made in any of the streets in the city of New York, without the written permission of the Croton Aqueduct Board, under the penalty of one hundred dollars, to be sued for and recovered from such person and the master builder, or person who made the same, severally and respectively.\*

§ 3. Every application for permission to erect such vault or cistern shall be in writing, signed by the person making the same, and shall state the number of square feet of ground which is required for the same, and the intended length and width of the same.\*

§ 4. After obtaining permission to construct or make such vault or cistern, and previous to the commencement thereof, the person so applying shall forthwith pay to the Chamberlain of the city of New York, the sum of fifteen cents for each square foot of ground mentioned as required for such vault or cistern, under the penalty of fifty dollars.†

---

\* Ord. of 1839, p. 216.

† Ibid., p. 217.

§ 5. That no person shall erect or build, or cause or permit any vault or cistern to be made, which shall extend further than the line of the sidewalk or curb stone of any street under the width of forty feet, under the penalty of two hundred and fifty dollars, and in all streets of forty feet wide and upward, it shall be at the discretion of the Croton Aqueduct Board how far such vault or cistern may be extended, not exceeding two fifths of said street.\*

§ 6. It shall be the duty of every person for whom any vault or cistern may be constructing, to procure the same to be measured by one of the City Surveyors, and to deliver to the Croton Aqueduct Board a certificate of the said measurement, signed by such surveyor, before the arching of such vault or cistern shall be commenced, under the penalty of one hundred dollars.†

§ 7. If it shall appear by such certificate or otherwise that such vault or cistern occupies a greater number of square feet than shall have been paid for as aforesaid, the owner of such vault or cistern, and the master builder, by whom or under whose direction such vault or cistern shall be constructed, shall, in addition to the penalty imposed in and by section four of this chapter, severally and respectively forfeit and pay the sum of fifty cents for each square foot of ground occupied by such vault or cistern, over and above the number of square feet paid for as aforesaid.†

§ 8. All vaults or cisterns shall be constructed of brick or stone, and the outward side of the grating or opening

---

\* Ord. of June 11, 1849.

† Ord. of 1839, p. 217.

into the street, shall be either within twelve inches of the outside of the curb stone of the sidewalk, or within twelve inches of the coping of the area in front of the house to which such vault shall belong, under the penalty of one hundred dollars, to be paid by the owner or person making or causing the same to be made.\*

§ 9. All grates to vaults shall be made of iron, the bars whereof shall be three-fourths of an inch wide, and one-half of an inch thick, and not more than three-quarters of an inch apart, under the penalty of twenty-five dollars, to be paid by the owner of the vault or occupant of the house to which the same shall belong, severally and respectively.†

§ 10. Every owner or occupant of any house or lot of ground, within the paved parts of the city of New York, before which any vault, pit, hole, cistern or well, shall be made, and every person making or having charge of such vault, pit, hole, cistern or well, shall, during the whole of every night while such vault, pit, hole, cistern or well, shall be opened or uncovered, cause a lighted lamp or lantern, to be placed and kept at some convenient spot, so as to cast its light upon such vault, pit, hole, cistern or well, under the penalty of ten dollars.†

§ 11. All vaults or cisterns shall be completed, and the ground closed over them, within three weeks after they are commenced, under the penalty of five dollars for every day thereafter, during which the same shall remain uninclosed, to be recovered from the owner or builder of the same, severally and respectively.‡

§ 12. No area in the front of any building in the city

\* Ord of 1839, p. 217.

† Ibid. pp. 217-218.

‡ Ibid. p. 218.



of New York, shall extend more than one-fifteenth part of the width of any street, nor in any case more than five feet, measuring from the inner wall of such area to the building; nor shall the railing of such area be placed more than six inches from the inside of the coping on the wall of such area, under the penalty of two hundred and fifty dollars, to be recovered from the owner and builder thereof, severally and respectively.\*

§ 13. Every area shall be inclosed with a railing, the gates of which shall be so constructed as to open inwardly, under the penalty of two hundred and fifty dollars for each offence, to be recovered from the owner, or builder thereof, severally and respectively.†

§ 14. Every description of opening below the surface of the street, in front of any shop, store, house or other building, whether covered or open, shall be considered and held to be a vault or cistern, within the meaning of this title; and the master builder, or owner or person for whom the same shall be made or built, shall be liable to the provisions, payments and penalties of this title, severally and respectively.‡

§ 15. The last preceding section of this title shall not be construed to refer to those openings which are used exclusively as places for descending to the cellar floor of any building or buildings by means of steps.§

§ 16. No person shall remove, or cause or procure, or suffer or permit to be removed, or insecurely fixed, so that the same can be moved in its bed, any grate or covering

---

\* Ord. of 1839, p. 218.    † Ord. of 1839, p. 218.    ‡ Ibid. pp. 218, 219.  
§ Ibid. p. 219.

to the opening or aperture of any vault in the city of New York, under the penalty of ten dollars.\*

§ 17. The last preceding section of this title shall not be construed to prevent the removal of such grate or covering, provided the aperture to such vault, during the removal of such grate or covering, shall be inclosed with a strong box or curb at least twelve inches high.\*

§ 18. No person shall suffer or permit any grate or covering to any vault to be removed therefrom, or insecurely fixed thereon, so that the same can be moved in its bed, within one hour before sunset on any day, under the penalty of twenty dollars, to be sued for and recovered from the owner and occupant of the house to which such vault shall belong, severally and respectively.\*

§ 19. In all cases where the owners of property in that part of the city, laid out by the Commissioners of Streets and Roads, shall, in the erection of dwellings, set the same back from the lines of the streets or avenues, a distance of three feet and upward, for the purpose of ornamental court-yards in front, they shall be permitted to inclose for such purpose, with a neat iron railing, in addition to the space receded from, so much of the sidewalk in front as is allowed by ordinance for stoops; the gates of such inclosures to be so constructed as to open inwardly, under the penalty of two hundred and fifty dollars for each offence.†

---

\* Ord. of 1839, p. 219.

† Added by res. April 2d, 1844.

REVISER'S NOTE.—The subject of vaults, cisterns and drains was formerly under the cognizance of the Street Commissioner; now, by charter of 1857, sec. 24, the Croton Aqueduct Department has charge of "the under-ground drainage of the city;" "permits for street vaults," and "digging and constructing wells," which is supposed to cover this whole subject, and, therefore, where in the former ordinance the word "Street Commissioner" occurred, "the Croton Aqueduct Board" is substituted, which is the only alteration.



## CHAPTER

## OF PUBLIC WELLS, PUMPS, CISTERNS AND HYDRANTS.

## ARTICLE I.

*Of building Wells and Pumps.*

§ 1. All applications for wells and pumps, in any part of the city of New York, shall be made to the Croton Aqueduct Board.

§ 2. It shall be the duty of the said Board, as soon as may be after the receipt of such application, to submit the same to the Alderman and Councilman of the district of the ward in which the well is to be located, and if approved by them, the said board shall present to the Common Council the ordinance necessary to carry the application into effect, in the manner provided for by law.\*

§ 3. All public wells hereafter built by order of the Common Council, shall be examined and inspected by the Water Purveyor, and shall be paid for by the Croton Aqueduct Board, in the usual manner, on receiving from the said Water Purveyor a certificate of his approval of the work, and that the same is built in conformity to law; the said work to be done in accordance with the provisions of law and ordinances as to all work done for the Corporation.\*

§ 4. No public well shall hereafter be built in any of the avenues of this city.\*

---

\* Ord. of 1839, p. 220.

§ 5. No person shall build any well in any of the avenues of this city, under the penalty of fifty dollars, and the Croton Aqueduct Board shall cause the same, in all such cases, to be filled up.\*

§ 6. The Croton Aqueduct Board is hereby authorized, under the direction of the Alderman and Councilman of the district of each ward respectively in which any well and pump may be so located as to incumber the carriage-way or sidewalks of any street in the city, to remove the same to some more proper and convenient place in the vicinity.†

#### ARTICLE 2.

##### *General provisions as to Public Wells, Pumps, Cisterns and Hydrants.*

§ 7. No person or persons shall take the water from any public well, pump or cistern in the city of New York, for the purpose of selling or offering the same for sale, under the penalty of twenty-five dollars for each offence.†

§ 8. No person shall take or use the water from any public cistern or hydrant, except in case of fire, and for the purpose of extinguishing the same, under the penalty of twenty-five dollars for each offence.†

§ 9. No person having charge of any public cistern or hydrant, shall suffer or permit any water to be taken therefrom, except for the purpose of extinguishing fire, under the penalty of twenty-five dollars for every such offence. †

§ 10. No person shall wilfully do, or cause, or suffer to

---

\* Ord. of 1839, p. 221.

† Ibid. pp. 220-221.

be done, any damage to any of the public pumps in the city of New York, under the penalty of twenty-five dollars for each offence.\*

§ 11. Every person who shall place, or assist in placing, or cause, or procure to be placed, any hogshead, barrel, tub, or other vessel of greater capacity than ten gallons, in any street in the city of New York, within twenty-five feet of any public well or pump, for the purpose of filling the same with water from any such well or pump, or who shall put, or cause to be put, into any such vessel any water from such pump or well, shall forfeit and pay the sum of ten dollars for each offence.†

§ 12. The last preceding section shall not be construed to prevent the immediate filling of any vessel therein mentioned, provided the same shall be forthwith removed.‡

§ 13. If any person except one of the engineers or foremen of the fire companies, shall unscrew any of the hydrants belonging or attached to the Corporation water works, erected for the extinguishment of fire, or interfere with the same, or any part of the works belonging to the said establishment, whereby the said establishment, or any or either of the pipes, hydrants, stop-cocks, or any part of the works may be injured, or the water taken therefrom or wasted, they shall be liable to a penalty of fifty dollars for each and every such offence.§

§ 14. No person shall wash, or cause, or procure or permit to be washed, any horse or carriage within twenty-five feet of any pump, in any street in the city of New

\* Ord. of 1839. p. 221. † Ibid. p. 231. ‡ Ibid. 220-222. § Ibid. p. 222.



York, under the penalty of ten dollars for every such offence.\*

§ 15. No person shall water, or suffer, or permit any horse to drink or be watered, at or within ten feet of any pump or well in any street of the city of New York, under the penalty of five dollars for each offence, to be paid by the owner or person watering or permitting such horse to water, severally and respectively.\*

§ 16. The foregoing provisions shall not apply to hydrants and water works under the charge of the Croton Aqueduct Department.

---

Ord. of 1839, p. 222.

REVISER'S NOTE.—The alterations in this chapter are those necessary from the substitution of the "Croton Aqueduct Board" for the "Commissioner of Repairs and Supplies," under whose cognizance the subject of wells and pumps was formerly placed. Now, by § 24, amended charter, "digging and constructing wells," is under the charge of the Croton Aqueduct Board, and in the duties of the Water Purveyor.

## CHAPTER.

## OF THE ERECTION OF BARRIERS TO PREVENT ACCIDENTS TO PASSENGERS.

§ 1. It shall be the duty of every person or persons engaged in digging down any road or street, in paving any street, building any sewer or drain, trench for water pipes, or digging and building a well in any of the public roads, streets or avenues, under contract with the Corporation of this city, made through either or any of the departments of the said Corporation, or by virtue of any permission which may have been granted to them, by the Mayor and Common Council, or either of the said departments, or either of them, where such work, if left exposed, would be dangerous to passengers, to erect a fence or railing at such excavations, or work, in such a manner as to prevent danger to passengers who may be traveling such streets, roads or avenues, and to continue and uphold the said railing or fence, until the work shall be completed or the obstruction or danger removed. And it shall also be the duty of such persons to place upon such railing or fence, at twilight in the evening, suitable and sufficient lights, and keep them burning through the night, during the performance of said work, under the penalty of two hundred and fifty dollars for every neglect.\*

§ 2. The provisions of the preceding section shall apply to every person who shall place building materials in any of the public streets or avenues, or be engaged in building any vault, or constructing any lateral drain from

\* 10 Pro. C. C., p. 100.

any cellar to any public sewer, or who shall do or perform any work causing obstructions in the public streets, by virtue of any permit from any executive department; and also to all public or Corporation officers, engaged in performing any work in behalf of the Corporation, whereby obstructions or excavations shall be made in the public streets.\*

§ 3. The extent to which such railing or fence should be built, in the several cases, is hereby defined as follows, to wit:

In digging down any street or road, by placing the same along the upper bank of such excavation, or by extending the fence so far across the street or road, as to prevent persons from traveling on such portion as would be dangerous. In paving any street or avenue, by extending it across the carriage-way of such street or avenue, or if but a portion of the width of such carriage-way be obstructed, across such portion, in which case the obstructions shall be so arranged as to leave a passage-way through, as nearly as may be, of uniform width.

In the building of a sewer, by placing it across the carriage-way, at the ends of such excavations as shall be made.

In the building of a well, by inclosing the same, and the obstructions connected therewith, on one or more sides.

In building vaults, by inclosing the ground taken for the vaults.

In placing building materials in the streets, by placing it across so much of the street as shall be occupied by such materials; and the materials shall be so placed as

---

\* 10 Pro. C. C., p. 101.



to occupy a space of uniform width, except brick or stone piled solid at least seven feet high. In all cases sufficient lights are to be placed upon such building materials, fences or railings, and kept burning during the night, as provided by the preceding sections.\*

§ 4. In all cases where any person or persons shall perform any of the work mentioned in the preceding sections, either under contracts with the Corporation, or by virtue of permission obtained from the Mayor and Common Council, or either of the departments, such persons shall be answerable for any and every damage which may be occasioned to persons, animals or property, by reason of carelessness in any manner connected with the said work.†

§ 5. It shall be the duty of the chiefs of the bureaux having charge of the particular class of improvement, to see that the requirements contained in this ordinance, in regard to the erection of fencing, and placing lights, in all cases, be complied with, severally, under the penalty of fifty dollars for each and every neglect.†

§ 6. It shall also be the duty of the said chiefs of bureaux, when any of the work referred to in any of the preceding sections shall be performed, whether for digging down streets or roads, paving streets, building sewers and building wells, or digging trenches for water pipes, by persons under contract with the Corporation, or for building vaults, or placing building materials in the streets, or constructing drains, or any other work forming an obstruction to the said street, by virtue of permission duly obtained to see that the requirements of this ordinance in regard to erecting the necessary fences, and

\* 10 Pro. C. C., pp. 101-102.

† Ibid. p. 102.

placing the necessary lights, be complied with, and to make the necessary complaint to the Corporation Attorney, for any omission on the part of the person referred to, under the penalty of fifty dollars for every neglect.\*

§ 7. In all contracts for paving streets, constructing sewers, and building wells and pumps, or for doing any other work, whereby accidents or injuries may happen, in consequence of any neglect or carelessness during the performance thereof, it shall be the duty of the departments by whom such contracts are made, to insert a covenant, requiring the contractor or contractors to place proper guards for the prevention of accidents, and to put up and keep suitable and sufficient lights burning at night, during the performance of the work; and that they will keep the Corporation harmless and indemnified against all loss and damage which may be occasioned by reason of any unskillfulness or carelessness, in any manner connected with the execution and completion of the work.\*

§ 8. In all contracts for digging down any road or street, where such digging, if left exposed, would be dangerous to passengers, the head of the proper department shall insert a covenant, whereby the contractors shall be bound, at their own expense, to erect a fence or railing along or across the street, in such a manner as to prevent danger to passengers, and so to continue and uphold the said fence or railing, until the street is completed.†

§ 9. A like fence or railing shall be put up and upheld, in all cases in which a road or street is dug out at the cost of the Common Council.†

\* 10 Pro. C. C., pp. 102-103.

† Ord of 1839, p. 188.

REVISER'S NOTE.—The alterations in this ordinance are merely verbal, arising from the designation of officers whose duties are changed.

## CHAPTER

OF PRESERVING THE MONUMENTS DESIGNATING THE STREETS  
AND AVENUES.

§ 1. No person or persons shall cover up or remove any of the monument stones for designating the avenues and streets in the city of New York, without first giving the Street Commissioner three days' notice thereof, in writing, under the penalty of fifty dollars.\*

§ 2. It shall be the duty of the Street Commissioner, on receiving such notice, forthwith to cause one of the City Surveyors to take the necessary measures to raise or lower such monument to the proper grade of the city, and to cause such alteration to be noticed on maps, to be kept in the office of the Street Commissioner for that purpose.\*

§ 3. It shall be the duty of the Street Commissioner, in all contracts hereafter made by him, for regulating any of the streets or avenues in which monuments are placed, to insert therein a covenant on the part of the contractors, to give the notice above required, and to replace such stones, under the direction of the said commissioner.\*

§ 4. Whenever the Street Commissioner shall ascertain that any monument stone has been removed, he shall, forthwith, cause the same to be placed in its proper position, and shall note the same on the map, in the manner before stated.\*

---

\* Ord. of 1839, p. 188.



§ 5. The expenses attending the same shall be paid by the Comptroller, on the certificate of the Street Commissioner.

REVISER'S NOTE.—The only changes made are by the substitution of the "Street Commissioner," for "Commissioner of Repairs and Supplies." This is in conformity with the charter.

## CHAPTER

## OF NUMBERING THE STREETS.

§ 1. In all cases where the number or numbers of streets have been directed to be changed, or shall hereafter be so directed, either by resolution or ordinance of the Common Council, the said number or numbers shall be so changed within twenty days after a copy of the said ordinance or resolution shall have been served, personally, upon the occupant, owner or lessee, tenant or sub-tenant of the premises.\*

§ 2. That for every neglect to comply with the foregoing section, the owner, occupant, lessee, tenant or sub-tenant, shall forfeit and pay the sum of fifty dollars, and the further penalty of ten dollars for each day, or part of a day, such number or numbers shall remain unchanged, to be recovered from the owner, occupant, lessee, tenant or sub-tenant, severally and respectively.

§ 3. In the event of non-compliance with the first section of this chapter, it shall be the duty of the Superintendent of Repairs and Supplies to cause the number or numbers to be forthwith changed; and the expense thereof to be collected from the parties aforesaid, as an additional penalty.

§ 4. In all cases of renumbering the streets it shall be the duty of the Superintendent of Repairs and Supplies to furnish to the Croton Aqueduct Department, a transcript of all changes made, showing in parallel columns, the old and new street numbers.†

---

\* Ord. of Aug. 7, 1852.

† Res. April 5, 1850.

§ 5. Whenever any street north of Thirteenth street, inclusive, shall be directed to be numbered, the Superintendent of Repairs and Supplies shall cause the numbers to commence at the Fifth avenue, beginning with number one, and numbering continually to either river; and that said streets shall hereafter be called and known as East Thirteenth street and West Thirteenth street, and so on, the dividing line to be the Fifth avenue.\*

---

\* Ord. of 1839, p. 192.

REVISER'S NOTE.—The subject of numbering the streets was formerly under the cognizance of the Commissioner of Repairs and Supplies. It is not now specially provided for among the duties of any of the departments, and the reviser has filled in the changes with the "Superintendent of Repairs and Supplies," who seems to be the proper officer.



## CHAPTER

OF CLEANING THE STREETS AND HEREIN OF THE REMOVAL OF  
SNOW AND ICE, AND THE SALE AND CARTAGE OF MANURE.

§ 1. The City Inspector is authorized and directed to make contracts for the cleaning of streets, pursuant to law and the ordinances of the Common Council, and according to the provisions and specifications in the following sections contained.\*

§ 2. The city, with the exception of the Twelfth Ward, shall be divided into nineteen contract districts, that is to say: The first eleven districts shall comprise, respectively, the first eleven wards; the twelfth, thirteenth, fourteenth, fifteenth, sixteenth and seventeenth districts shall comprise, respectively, the Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth and Eighteenth Wards; the eighteenth district shall comprise the Nineteenth and Twenty-first Wards, and the nineteenth district shall comprise the Twentieth and Twenty-second Wards; and every contractor, during the whole period of his contract, shall reside, or keep an office, which shall be open for the transaction of business from 7 o'clock, A.M., to 6 o'clock, P.M., within the district for which he contracts; and the work shall not be done by sub-contract. The streets bounding a district on the northerly side and on the easterly side, shall be included in such district.\*

§ 3. The contractors shall severally, at their own expense, cause all streets, lanes and avenues, and all gutters,

---

\* Ord. of April 8, 1854.

wharves, piers, heads of slips, public lands and places, and the limits of the public markets within their respective districts, to be thoroughly and properly cleaned and swept, and all the dirt, manure, ashes, garbage, rubbish and sweepings of every kind which may be in the same, collected in heaps, and removed, at least once, between Monday morning and Wednesday night; and once again between Thursday morning and Saturday night, in each week, except, that from the state of the weather on such day, the Superintendent of Sanitary Inspection and Street Cleaning may, from time to time, in writing, substitute some other day in the week therefor, or dispense with the performance of such work; but the said officer shall not grant any one dispensation for a longer period than a week from the granting thereof. And the said contractor shall employ a sufficient number of carts and cartmen, to remove, and shall remove, all ashes, garbage and offal, manure, dirt, rubbish and sweepings of every kind, nature or description, from all streets, lanes, avenues, and all gutters, wharves, piers, heads of slips, public lands and places, within their respective districts forthwith, immediately after being collected.\*

§ 4. The said contractors shall, severally, at their own expense, cause all dirt, filth, and rubbish, of all and every kind, to be removed from each of the public markets, (and such other public markets as may hereafter be erected,) and the limits thereof, within their respective districts, every Sunday, before the hour of nine o'clock in the morning, and every other day, excepting Saturday, before four o'clock in the afternoon.\*

§ 5. The said contractors shall provide a sufficient num.

---

\* Ord. of April, 1854.

ber of horses and carts, and men to act as cartmen, to collect and remove, and shall remove, forthwith, from the several streets of said city, all ashes, garbage, rubbish, sweepings of every kind and nature, which may be delivered to them, or may be placed in vessels upon the sidewalks, or in the area of, or upon the upper area step of any dwelling-house, store, or public building within the limits of their respective contract districts; and the said carts and men shall each be assigned to separate districts, to be subject to the approval of the Superintendent of Sanitary Inspection and Street Cleaning, and shall be compelled to go entirely through each of the aforesaid districts, between the hours of seven, A.M., and six, P.M., of each and every day, Sundays excepted.\*

§ 6. The drivers of all carts, employed as ash-carts, shall give notice of their approach by ringing a hand-bell, and shall receive and take all ashes, garbage, sweepings and rubbish of every nature and description which shall be delivered to such carts, or be placed upon the sidewalks, in vessels in the area, or upon the upper cellar step of every dwelling-house, public building or store; and every ash-cart shall be attended by a man to help the driver.\*

§ 7. The said contractors, whose districts include the whole, or any part of any of the great thoroughfares, viz: Broadway, Bowery, Third avenue, as far north as Fourteenth street, Chatham street, Grand street, from Broadway to the East river, and Canal street, shall cause the same, and the several gutters thereof, together with the cross-walks of the streets intersecting the same, to be thoroughly swept and cleaned, and all dirt, manure, gar-

---

\* Ord. of April, 1854.



bage, ashes, rubbish and sweepings of every kind or nature to be removed therefrom, at least three times in each week; once before Tuesday morning, and again before Thursday morning, and again before Saturday morning, in each week, throughout the year; such work to be completed before seven o'clock in the morning between the first of May and the first of October; and before eight o'clock in the morning between the first of October and the first of May. Provided, however, that when such performance is impracticable from the state of the weather, the Superintendent of Sanitary Inspection and Street Cleaning, may, from time to time, in writing, designate a later hour, or substitute some other day for the performance of such work, or dispense with the same temporarily; but the said officer shall not grant any one dispensation for a period longer than one week from the granting thereof.\*

§ 8. The said contractors shall also remove snow, ice, and other obstructions from the cross-walks and gutters, in compliance with the ordinances of the Common Council, and shall also removed all snow, hail and ice, from in front of all public buildings and places, (public schools, engine-houses, station-houses, court-rooms, &c.,) within twenty-four hours after such snow or hail has ceased falling; and in case of said hail or ice being congealed so as not to permit the same to be removed, then to be sprinkled with sand or ashes until it is practicable to be removed. And the contractors in the respective districts shall also keep the streets in their districts passable for vehicles during the winter, and clear all gutters of intersecting streets.\*

§ 9. The said contractors shall, at their own expense,

---

\* Ord. of April 8, 1851.

carry off, in a sufficient number of boats or vessels, all dirt, manure, garbage, ashes, filth, rubbish, and sweepings of every kind or nature, as fast as the same can be collected; and no deposit of any such dirt, manure, garbage, ashes, filth, rubbish or sweepings of any kind or nature shall be made by any contractor or persons in his employ, except, that such as is suitable and proper to fill up low ground or sunken lots, may be used for such purpose, with the consent of the owner of such low ground or sunken lots, and of the Superintendent of Sanitary Inspection and Street Cleaning. The department will furnish the right to use the following berths to the contractors respectively, for the loading of their vessels, but the contractors must take upon themselves to secure their rights from unlawful infringement.

1st District, foot of Vesey street.			
2d	"	"	Roosevelt street.
3d	"	"	Vesey street.
4th	"	"	Roosevelt street.
5th	"	"	Watts street.
6th	"	"	Roosevelt street.
7th	"	"	Jefferson street, when repaired.
8th	"	"	Watts street.
9th	"	"	Jane street.
10th	"	"	Jefferson street, when repaired.
11th	"	"	Stanton street, East river.
12th	"	"	Stanton street, (13th Ward.)
13th	"	"	Watts street, (14th Ward.)
14th	"	"	Jane street, (15th Ward.)
15th	"	"	Eighteenth st., N. R., (16th Ward.)

16th District,	foot of Stanton street,	(17th Ward.)
17th	"	" Sixteenth st., E. R., (18th Ward.)
18th	"	" 47th st., E. R., (19th & 21st Wards.)
19th	"	" 18th st., N. R., (20th & 22d Wards.)*

§ 10. Every cart employed by a contractor shall be submitted to the Superintendent of Sanitary Inspection and Street Cleaning for his approval, before the same is used on a district; and shall again be submitted to his approval every six months thereafter; and he shall cause to be painted thereon his approval, and the date of such approval; and no cart, not having such approval, shall be used or employed in a district.\*

§ 11. If any contractor shall fail or neglect to perform any duty which he is required to perform by his contract, for the space of twenty-four hours after he shall be notified so to do, by notice in writing, left at his residence or usual place of business, by the Superintendent of Sanitary Inspection and Street Cleaning, then such Superintendent shall cause such duty to be performed; and in case the said Superintendent should fail to notify the contractor of such failure or neglect, or having notified such contractor in the manner prescribed, has failed or neglected to have such duty performed, it shall be the duty of the Mayor to cause him to be notified of his failure or neglect, in writing, at his office; and should the said Superintendent continue for twenty-four hours thereafter, to neglect or fail in the performance of his duty, then the Mayor shall cause the same to be done. When the said Superintendent shall have performed the duty as hereinbefore directed,

---

\* Ord. of April 8, 1854.



the reasonable expense thereof shall be certified, in writing, under oath, to the City Inspector by that officer. And when the Mayor shall have caused the duty to be performed as hereinbefore directed, the reasonable expense thereof shall be certified, under oath, by the officer to whom the Mayor has intrusted the performance of the duty, in writing, to the Department of Finance; whereupon the Department of Finance shall cause such expense to be paid, and to be deducted from the next succeeding payment, otherwise due to the contractor, and should the next payment be insufficient to reimburse the expense so incurred, then such deficiency shall be deducted from any succeeding payment, and such contractor shall lose the amount of such expense. And should the payments to become due to such contractor; be insufficient to reimburse the city for the expense so incurred, the Comptroller shall direct such action to be taken in law as may be necessary to recover such deficiency from the sureties of such contractor. If any contractor shall fail or neglect to clean any part of his district, within the time above specified, any citizen may, at his own expense, and without notice to the contractor, cause the same to be cleaned at his own expense, and may have and dispose, for his own account, of the manure or other substances thereby collected.\*

§ 12. If any contractor shall refuse, or fail, or neglect to comply with the requirements of these specifications, or any part thereof, for forty-eight hours, after being notified, in writing, to perform the same, or any part thereof, as aforesaid, by the Superintendent of Sanitary Inspection and Street Cleaning, or the Captain of Police of the district in which such neglect or failure occurs; such

---

\* Ord. of April 8, 1854.

notice to be served by leaving the same at his house or office; then the said City Inspector shall, in writing, declare the contract forfeited, and said contractor shall not be entitled to claim any moneys upon the said contract, after the time when the said notice was served upon him as aforesaid, nor shall he be thereafter entitled to any profits, benefits or advantages to be had or derived from such contract. And it shall thereafter be lawful for the City Inspector to procure such work, contracted for, to be done by other persons, pursuant to law and the ordinances of the Common Council. And the contractor, refusing or failing to perform his said contract, shall be liable to pay to the Corporation of the city of New York, all such loss or damage as they may have sustained by reason of such refusal, neglect or failure.

§ 13. The contractors, when required by the Croton Aqueduct Department, through the Water Purveyor, or other officer of the said department, shall carry away, in water-tight carts, all dirt, rubbish, and filth taken from the receiving basins and sewers within their respective districts, such removal to be effected within twelve hours after such dirt, rubbish or filth shall be taken from such sewers and basins, and if such removal is neglected for twelve hours after the said dirt, rubbish, or filth has been taken from the said basins and sewers, then such removal may be made, forthwith, by the Croton Aqueduct Department, at the expense of such contractor.\*

§ 14. It is expressly understood, that violations of the city ordinances shall not excuse the non-performance of any of the work hereinbefore specified.\*

---

\* Ord. April 8, 1854.

§ 15. Contractors will be allowed to use the Croton water from hydrants within their respective districts, for sprinkling streets in advance of the sweepers employed therein, but not more than one hydrant to be open at a time, and this only so far as to enable him conveniently to fill his watering pots, and to be carefully closed when left. The said hydrants not to be used to wash the filth of gutters into the receiving basins of public sewers, nor shall hose be used on the said hydrants for washing or sprinkling the streets, the said contractors to pay for repairs to the Croton Aqueduct Department of hydrants damaged by the said contractors, or the men in their employ. The violation of the above rules or provisions shall subject the contractor offending to a revocation or suspension of this permission, in the discretion of the Croton Aqueduct Department.\*

§ 16. It shall be the duty of the Superintendent of Sanitary Inspection and Street Cleaning to cause Broadway, from the Battery to Twenty-third street, to be swept, at least three times in each week, and as much oftener as may be necessary, from the 1st day of March to the 1st day of October, in each year, before seven o'clock in the forenoon; and from the first day of October to the 1st day of March, in each year, before nine o'clock in the forenoon, whenever the state of the weather will permit the same to be done; and it shall be his duty to cause to be removed, forthwith, the dirt and rubbish so swept up and collected.\*

§ 17. Permission is hereby given to persons residing on Broadway, or occupying tenements thereon, to cause

---

\* Ord. April 8, 1854.



Broadway, in front of their respective tenements, to be sprinkled, at any time, between the hours of eight o'clock, A. M., and five o'clock, P. M., of each day, Sundays excepted.

*Of the Removal of Snow and Ice.*

§ 18. The owner, or occupant, or person having charge of each house or other building, or lot or lots of ground in the city of New York shall, within the first four hours after every fall of snow or hail or rain, which shall freeze on the sidewalks and in the gutters, cause the same to be removed entirely from off the sidewalks opposite such house, building, lot or land, under the penalty of three dollars for every such neglect, to be paid by the said owner, occupant or person having charge, severally and respectively.\*

§ 19. In case the ice or snow shall be so congealed, that it cannot be removed without injury to the pavement, the owner, occupant or person having charge of any building, lot or land as aforesaid, shall, within the first four hours after every fall thereof, cause the sidewalks opposite his, her or their premises, to be strewed with ashes or sand, under the penalty of one dollar, to be paid by the owner or occupant, or person having charge thereof, severally and respectively.†

§ 20. It shall be the duty of the Superintendent of Sanitary Inspection and Street Cleaning, immediately after every fall of snow or hail or rain, which shall freeze on the crosswalks or in the gutters, forthwith to cause the same to be removed from the said crosswalks, and from

---

\* Ord. 1839, pp. 210-211.

† Ibid. p. 211.

out of the said gutters to the breadth of one foot, in the several wards respectively, and the said crosswalks and gutters shall be kept clean and free from all obstructions.\*

§ 21. The owners or occupants of all houses and lots in the city of New York, shall level the snow and ice in front of his or their premises, in such a manner as will admit of the convenient passing of horses, sleighs and carriages, under the penalty of one dollar for every neglect, to be recovered from the owner or occupant, or person having charge thereof, severally and respectively.†

§ 22. In case the owner, occupant or person having charge of any house, lot, building or land, shall neglect to comply with any of the provisions of the previous sections of this chapter, it shall be the duty of Superintendent of Sanitary Inspection and street cleaning to cause the same to be done.‡

§ 23. In addition to the penalties imposed by the preceding sections of this chapter, and said owner, occupant or person having charge of any such premises, shall likewise pay to the Superintendent of Sanitary Inspection and street cleaning, for causing the snow to be removed, as provided in the last preceding section, the sum of eighteen and three quarter cents for every twenty-five feet in width, which shall have been cleaned by order of the said Superintendent, and so in proportion for any greater or less extent; which said amount the said Superintendent may sue for and recover, in any court having cognizance thereof, in the name of the Mayor, Aldermen and Com.

---

\* Ord. Feb. 7, 1852.

† Ord. 1839, p. 211.

‡ Ibid. pp. 211-212

monalty of the city of New York; the same being first demanded.\*

*Of the Sale and Cartage of Manure, Sand and Dirt.*

§ 24. All manure shall be sold in the city of New York by the cart or wagon load; and every such load shall contain fourteen bushels, heaped manure.†

§ 25. All manure shall be carted in close boxes, the front and sides of which shall be at least twenty inches in height, and the tail-board at least fifteen inches in height, and the said boxes shall be well secured so as to prevent any part of the load from running out.‡

§ 26. Every person who shall neglect or violate any of the provisions of this law, shall forfeit and pay for every such offence the sum of five dollars, to be recovered in the name of the Mayor, Aldermen and Commonalty of the city of New York, in any court having cognizance thereof.

§ 27. The Superintendent of Sanitary Inspection and street cleaning may, whenever he deems the same necessary, employ, not exceeding six persons, to act as inspectors of manure, under his direction, who shall receive at the rate of one dollar and fifty cents per day for every day they may be so employed.†

§ 28. No person or persons, excepting such as are employed by the Superintendent of Sanitary Inspection and street cleaning, or the contractor for street cleaning, shall take up or carry away, or remove any manure, from any

---

\* Ordinance of 1839, p. 212.

† Ibid, p. 213.

‡ Ibid, p. 214.



street, lane, avenue, head of slip, or public place or wharf in the city of New York, under the penalty of ten dollars for each offence.\*

§ 29. No person shall, at any time, for himself or for any other person, deposit or keep on his premises, or on the premises of any other person, manure of any kind, dirt, filth or sweepings, exceeding two cart loads, at any place in the city of New York to the southward of Fourteenth street, except for agricultural or horticultural purposes, under the penalty of twenty-five dollars for each offence.\*

§ 30. No manure, filth or sweepings other than that removed by authority of the Superintendent of Sanitary Inspection and street cleaning, shall at any time between the first day of April and the last day of November, be carted or transported to any wharf to the southward of Fourteenth street, in the city of New York, under the penalty of ten dollars for each offence.†

§ 31. No deposit of manure for sale shall be kept at any place in the city of New York, south of street, except as hereinafter mentioned, under the penalty of twenty-five dollars, to be paid by the owner or owners thereof, or the occupant of the lot or lots, or other place in which such manure shall be kept, severally and respectively. But it shall and may be lawful for the Aldermen and Councilmen of the several districts to permit, in writing, under their hands, the depositing in any lot or other place in said district, south of street, with the written consent of the owner of the ground, be-

---

\* Ordinance of 1839, p. 214.

† Ibid, pp. 214, 215.

tween the first day of November and the first day of March in each year, under such regulations, and during such time as they may deem proper, and subject to be removed at any time whatever, on the order of said Alderman and Councilman.\*

---

\* Ordinance of 1839, pp. 214, 215.

REVISER'S NOTE.—The alterations made in this ordinance are the substitution of such officers in the City Inspector's Department, as seemed to the reviser to be appropriate, for those in the former department of the "Commissioner of Streets and Lamps."

## CHAPTER.

OF INCUMBERING AND OTHERWISE OBSTRUCTING THE FREE  
USE OF THE PUBLIC STREETS, WHARVES, AND PIERS.

SECTION 1. No person shall incumber or obstruct any street, wharf, or pier in the city of New York, with any article or thing whatsoever, without having first obtained written permission from the Mayor or Street Commissioner, or of the Superintendent of Sanitary Inspection and Street Cleaning, under the penalty of five dollars for each offence, and a further penalty of five dollars for each day, or part of a day, such incumbrance or obstruction shall continue.\*

§ 2. The Mayor, the Street Commissioner, or the Superintendent of Sanitary Inspection and Street Cleaning, are hereby authorized to order any article or thing whatsoever, which may incumber or obstruct any street, wharf or pier, to be removed; and in case the same shall not be removed within twenty-four hours after notice to remove the same, then to order the same to be carted or removed to the yard occupied by the Superintendent of Repairs and Supplies, or other suitable place.†

§ 3. Whenever any article or thing shall have been directed to be removed, pursuant to the last section, and the same shall not be removed within the time limited in such order, notice or direction, it shall be lawful for either the said Commissioner or Superintendent to order the same to be carted or transported into the yard occu-

---

\* Ord. of 1839, p. 193.

† Ibid., pp. 192, 193.



pied by the Superintendent of Repairs and Supplies, or other suitable place.\*

§ 4. The Superintendent of Repairs and Supplies may draw upon the Comptroller for a sum not exceeding one hundred dollars, to defray the expense of transporting articles encumbering the streets, wharves, and piers, to the public yard or other suitable place, the same to be accounted for to the Comptroller, by a return of the vouchers for the money so expended immediately after the expiration of each month.

§ 5. All such articles removed to the public yard or other suitable places, may be redeemed by the owner upon paying to the Superintendent of Repairs and Supplies for the use of the city the expenses of removal, together with six cents per day for every cart-load thereof, during the time the same shall have remained in the said public yard or other suitable place; and the said Superintendent shall immediately after the expiration of each month, or sooner if the Comptroller shall so require, pay the moneys so received during the preceding month into the Treasury, and make a return of the same, verified by oath or affirmation, to the Comptroller.

§ 6. The said Superintendent of Repairs and Supplies shall, between the first and tenth days of February, May, August and November in each year, advertise and sell at public auction, all such articles thus removed, as shall have been in the said public yard, or other suitable place, one month prior to the time of advertising, and he shall immediately after such sale pay the proceeds thereof into

---

\* Ord. of 1839, p. 194.

the City Treasury, and make a return of the same verified by oath or affirmation to the Comptroller.

§ 7. Should the proceeds of such sale exceed the expenses of transportation and sale, together with the amount charged for storage, the excess shall be paid to such person or persons as shall exhibit to the said Superintendent of Repairs and Supplies, satisfactory proof of the ownership of the articles to which the same relates, and the Comptroller, on the certificate or requisition of the said Superintendent, is authorized to draw his warrant in favor of such persons for the amounts which may be due to them.

§ 4. The said Superintendent of Repairs and Supplies shall keep a book to be provided by the Comptroller, entitled "Encumbrances," in which shall be entered the date at which the respective articles are brought to the public yard, or other suitable place; a number to each parcel received, upon which a distinct payment is made; a description of the articles, the number of loads, and by whom sent, the sum paid for transportation and labor connected therewith; the date at which the articles are redeemed or sold, the sum charged for storage, the amount received for their redemption or sale; the excess of sale over charges and expenses, and the names of the persons by whom the articles are redeemed or purchased.

§ 9. The said superintendent shall also keep a book to be entitled "Receipts for Encumbrances Redeemed," in which he shall take a receipt for each parcel redeemed from the person or persons redeeming the same.

§ 10. No person or persons shall construct or continue

any cellar door, which shall extend more than one twelfth part of any street, nor more than five feet into any street, under the penalty of two hundred and fifty dollars for each offence.\*

§ 11. Every entrance, or flight of steps, projecting beyond the line of the street, and descending into any cellar or basement story of any house or other building, where such entrance or flight of steps shall not be covered, shall be inclosed with a railing on each side permanently put up, from three to three and a half feet high, with a gate to open inwardly, or with two iron chains across the front of the entrance way, one near the top and one in the centre of the railing, to be closed during the night, unless there be a burning light over the steps, to prevent accidents, under the penalty of twenty dollars for every offence, to be recovered from the owner, assigns, or lessee thereof, severally and respectively.\*

§ 12. This ordinance shall not apply to buildings already erected before the twenty-fifth of March, one thousand eight hundred and thirty-four, until the owners and occupants thereof shall receive twenty days' notice, from the Street Commissioner, directing such railing, with gate or chain to be put up in manner aforesaid.†

§ 13. The owner of any such building shall not be liable for the said penalty, for not keeping any such gate closed, or chains fastened across the front of such entrance or flight of steps, when not the actual occupant thereof, any thing to the contrary, in this title contained notwithstanding.†

---

\* Ord. of 1839, p. 194.

† Ibid., 195.



§ 14. No person or persons shall construct or continue any bay-window or other window, which shall extend into any street more than one foot from the wall of any house or other building, under the penalty of two hundred and fifty dollars for each offence, to be paid by the owner or owners thereof, or the person or persons who constructed the same severally and respectively.\*

§ 15. No person or persons shall hereafter construct any porch over a cellar door, under the penalty of two hundred and fifty dollars.\*

§ 16. No person or persons shall construct or continue any platform, stoop or step, in any street in the city of New York, which shall extend more than one tenth part of the width of the street, nor more than seven feet, nor with any other than open backs or sides, or railing; nor of greater width than is necessary for the purpose of a convenient passage-way into the house or building; nor any stoop or step which shall exceed five feet in height; under the penalty of two hundred and fifty dollars.\*

§ 17. Nothing contained in the preceding sections of this title, shall be deemed to prohibit the continuation of any porches, doors, stoops, platforms or steps, which were heretofore erected, unless the same shall be complained of to the Street Commissioner, and he shall have directed their removal or alteration within a reasonable time.†

§ 18. All persons who wish hereafter to erect balustrades projecting beyond the street line, shall first obtain a written permit from the Street Commissioner.†

---

\* Ord. of 1839, p. 195.

† Ibid., 196.

§ 19. No balustrade shall hereafter be erected, excepting from the second story of any house, nor shall it project more than one twentieth of the width of the street wherein it may be erected, nor more than three feet in any case whatever.\*

§ 20. None but iron braces and railings shall be used for balustrades; the strength and firmness shall be tested by the Street Commissioner; and in case he object to the strength of the same, it shall be made as he shall direct, or removed, under penalty of five dollars per day.\*

§ 21. No post shall be erected or put up in any of the streets, roads, lanes or highways in the city of New York, unless under the direction of the Street Commissioner, under the penalty of five dollars for every such post.†

§ 22. No person shall place or fix, or continue in any street in this city, any awning post or railing, or any cloth or canvas for an awning, unless under the direction of the Street Commissioner, and made conformably to the next section of this chapter, under the penalty of ten dollars for each offence.‡

§ 23. All posts fixed in any street for the purpose of supporting any awning, shall not exceed nine inches in diameter, and the rail crossing the same shall not exceed seven inches in width or height, and four inches in thickness; the said posts shall be placed next to and along the inside of the curb stone, and the upper side of the rail, which is intended to support the awning, shall not be less than eight feet nor over ten feet in height above the side-

---

\* Ord. of 1839, p. 196.

† Ibid. 196, 197.

‡ Ibid. 197.

walk, and the cross-rail shall be strongly morticed through the upright posts.

§ 24. It shall be the duty of the said Street Commissioner to order and direct any awning post which is erected or continued in any street in the city of New York contrary to the last above section, to be forthwith removed; and any person who shall neglect or refuse to comply with such direction and order, shall forfeit and pay for every such offence, the sum of ten dollars.\*

§ 25. The owners or occupants of property in any street of this city, exceeding the width of forty feet, and from which the wooden awning posts have been or may hereafter be directed to be removed, shall be, and they are hereby permitted to erect in front of their respective buildings thereon, iron posts, and none others, for the support of awnings, with an iron cross-rail, which shall be nine feet and no more, from the curb stone to the top of said rail; said posts shall be placed eight inches within the outer side of the curb stone, and shall conform in all respects to a pattern or model now deposited in the office of the Street Commissioner.†

§ 26. Such iron posts, as well as those which may be at the time of the passage of this ordinance erected in any street of this city, shall be well and securely braced from the building with wrought iron rails or rods, at least one inch in diameter, in the proportion of one brace for each post.†

§ 27. The owners or occupants of property in any

---

\* Ord. of 1839, pp. 196, 197.

† Ord. of April 6, 1849.



street not exceeding the width of forty feet, shall be, and they are hereby permitted to construct from their respective buildings thereon, wrought iron brackets for the support of awnings; which said brackets shall be firmly secured to the building, and project on a line with the inner side of the curb stone, and shall be eight feet and six inches, and no more in height, from the curb stone to the top of the outer cross-rail.\*

§ 28. It shall be the duty of the Street Commissioner to order and direct the removal, forthwith, of all iron awning posts and brackets which are now, or may be hereafter erected, constructed, or continued in any street of this city, contrary to the preceding provisions of these ordinances, and any person who shall neglect or refuse to comply with such direction or order, shall forfeit and pay for every such offence, the sum of five dollars.\*

§ 29. The preceding sections relating to awnings and awning posts, shall not apply where the erection of iron awning posts and brackets are permitted by these ordinances.\*

§ 30. No portion or part of any cloth or canvas used as an awning, shall hang loosely down from the same, over the sidewalk or foot-path, under the penalty of five dollars for each day's offence.†

§ 31. The said Street Commissioner is hereby authorized, whenever he shall deem it proper, to order any step-stone used for entering carriages, any railing or fence, any sign, sign-post, or other post, any area, bay-window, or other window, porch, cellar, door, platform, stoop or

---

\* Ord. of April 6, 1849.

† Ord. 1839, p. 197.

step, or any other thing which may incumber or obstruct any street, to be altered or removed therefrom, within such time as shall be limited by the said Commissioner.\*

§ 32. The order or direction, mentioned in the last preceding section, shall be in writing, and shall be served personally, or by leaving it at the house or place of business of the owner, occupant or person having charge of the house or lot in front of which such step-stone or other incumbrance or obstruction may be; or by posting the said notice or order upon such step-stone or other incumbrance or obstruction.\*

§ 33. If any owner, occupant, or person having charge of any such house or lot in the city of New York, shall refuse or neglect to obey or comply with such notice or order, he, she or they shall forfeit and pay the sum of ten dollars; and the further sum of five dollars for each and every day, from and after the time limited and appointed in said order, until the same shall have been complied with.\*

§ 34. No goods, wares, merchandise or manufactures of any description, shall be placed or exposed to show or for sale, upon any balustrade, that now is, or hereafter may be erected in this city, under the penalty of ten dollars for each offence.†

§ 35. No person shall hang or place any goods, wares or merchandise, or any other thing, at any greater distance than twelve inches in front of his, her or their house or store, or other building, under the penalty of five dollars for each offence.‡

---

\* Ord. 1839, p. 193.

† Ibid , p. 196.

‡ Ibid. p. 197.

§ 36. No person shall place, hang or suspend at any greater distance than twelve inches in front of, and from the wall of any house or store, or other building, any sign, showbill, or showboard, under the penalty of ten dollars, for each offence.\*

§ 37. The said Street Commissioner, with the assent of the Alderman and Councilman of any district of a ward in which any tree may be standing, may cause the same to be cut down and removed from the street, and shall cause so much of the sidewalk or carriage-way as may be injured by the removal of such tree, to be properly repaired.†

§ 38. No person shall plant, or suffer or permit any tree or shoot to be planted, in any street in the city of New York, under the penalty of fifteen dollars for every such offence.‡

§ 39. The last preceding section of this title shall not be construed, to prevent the planting of trees in any street which is of the width of forty feet and upwards, provided the same be planted upon the sidewalk or foot-path, and within twelve inches of the curb stone.‡

§ 40. No person shall cut down, destroy, or in any way injure any tree or shoot, standing in any street or public place in the city of New York, under the penalty of fifty dollars for each offence.‡

§ 41. No person or persons in the city of New York, whether agent, owner or employer, shall suffer or permit any cask, bale, bundle, box, crate or any other goods,

---

\* Ord. 1839, p. 196.

† Ibid., pp. 197, 198.

‡ Ibid., p. 198.



wares or merchandise, or any boards, planks, joists or other timber, or any thing whatsoever, to be raised from any street on the outside of any building, into any loft, store or room; or to be lowered from the same, on the outside of any building by means of any rope, pulley, tackle or windlass, under the penalty of twenty-five dollars, to be recovered by an action of debt from such person, agent, owner or employer.\*

§ 42. No person shall lead, drive or ride any horse, or drag any wheel or hand-barrow, or saw any wood, or lay or place any wood, coal or other thing, or any goods, wares or merchandise, or any other article whatsoever, upon any foot-path or sidewalk, under the penalty of five dollars for each offence.\*

§ 43. No person shall drive, or back, or lead any horse or cart, or other wheel carriage, on the foot-path or sidewalk of any street, under the penalty of five dollars for each offence.†

§ 44. No owner or occupant of any store or house shall permit or suffer any cart or other wheel carriage, to be driven, or otherwise to pass, or go over or upon the foot-path or sidewalk opposite to such house or store, for the purpose of loading or unloading such cart or other wheel carriage, or for any other purpose whatever, under the penalty of five dollars for each offence.†

§ 45. If any cartman or other person shall break or otherwise injure any foot-path or sidewalk, he or they shall, within twenty-four hours thereafter, cause the same

---

\* Ord. of 1839, p. 198.

† Ibid. p. 198, 199.

to be well and sufficiently repaired and amended, under the penalty of ten dollars.\*

§ 46. No person shall obstruct the walks laid across the public streets, or at the head of the public slips in the city of New York, by placing or stopping his horse, cart or other carriage, upon or across any of the said walks, or by placing or putting any other obstruction or thing across or on the same, under the penalty of five dollars for each offence.†

§ 47. No person, without permission of the Common Council, shall take up, remove, or carry away, or cause or permit to be taken up, removed or carried away, any turf, stone, sand, clay or earth from any street, public place, or highway in the city of New York, under the penalty of twenty-five dollars for each offence.\*

§ 48. No person shall remove, or cause or permit to be removed, or shall aid or assist in removing any building into, along or across any street, lane or alley, or public place in the city of New York, to the southward of Fourteenth street, under the penalty of two hundred and fifty dollars for every such offence.\*

§ 49. No pavement in any street in the city of New York, which has been accepted by the Corporation to be kept in repair at the public expense, shall hereafter be taken up, or the paving-stones removed therefrom, for any purpose whatever, without the authority of the Common Council, or the written permission of the Street Commissioner, under the penalty of two hundred and fifty dollars for every such offence.\*

---

\* Ord. of 1839, p. 199.

† Ibid., p. 198.

§ 50. No person, without permission of the Common Council, shall dump or deposit any earth, dirt, rubbish or other article, (except for the purposes of building,) in any street, either upon the cartway, or side-walks, or any public place, under the penalty of ten dollars for every offence, and if the same shall be dumped or deposited by a dirt cart, the owner or driver thereof shall also be liable to be punished for misdemeanor, pursuant to the provisions of the act of the legislature, entitled "An act relative to the powers of the Common Council of the city of New York, and the Police and Criminal Courts of the said city," passed January 23d, 1833.\*

---

\* Ord. of 1845, p. 296.



REVISER'S NOTE.—The changes made in the foregoing chapter are as follows :

The substitution of "Street Commissioner," for "Commissioner of Streets and Lamps."

The "Superintendent of Sanitary Inspection and Street Cleaning," for the "Superintendent of Streets."

The "Superintendent of Repairs and Supplies," for the "Superintendent of Buildings."

## CHAPTER

## OF THE PUBLIC PLACES AND GROUNDS.

§ 1. No person shall play at ball, quoits or any other sport or play whatsoever, in any public place in the city of New York, nor throw stones, nor run foot races in or over or upon the same, under the penalty of five dollars for each offence.\*

§ 2. No person shall walk, stand or lie upon any part of the Park, Battery, or any other public square or place which is laid out and appropriated for grass or shrubbery, under the penalty of five dollars for each offence.\*

§ 3. No person shall pull up, break down, trample upon or injure any of the trees, grass or shrubbery in any such public square or place, under the penalty of five dollars for each offence.\*

§ 4. The persons exercising the duties of keepers of the public places shall see that the foregoing provisions are observed.\*

§ 5. The said persons so exercising the office of keepers, are hereby particularly enjoined to have removed to the public pound, all swine and neat cattle which are found within the public places and grounds, and to report to the Attorney of the Board all violations of this law.†

§ 6. No carriage-horse, or cart shall be allowed to enter

---

\* Ord. of 1839, p. 215.

† Ibid., pp. 215, 216.

the Park, but those having business with some officer located therein.\*

§ 7. No person shall deposit, or cart manure of any kind, dirt, filth, sweepings of streets or rubbish, upon that portion of the city known as the Battery, or upon the Battery enlargement, under the penalty of twenty-five dollars for each offence, to be recovered from the owner of any boat, cart or other vehicle, or the person having charge of the same, severally and respectively.

§ 8. The Mayor of the city is hereby authorized to enforce the provisions of the last section, until a sea wall is built around the Battery enlargement.

§ 9. The Corporation Attorney is hereby authorized and directed to prosecute for the penalty, all complaints for any violation of section 7 of this chapter.†

---

\* Res. March 20, 1857.

† Ord. of Jan. 23, 1858.

REVISER'S NOTE.—By sec. 1, art. II, act May 7, 1844, it was provided, that the Chief of Police should perform the duties of "Keeper of Lands and Places," and the functions of Chief of Police are now devolved, by the Metropolitan Police Act, upon the General Superintendent; but the Reviser has thought proper to insert, in place of "keepers," the words "persons exercising the office of keepers."



## CHAPTER

## OF VESSELS, WHARVES, PIERS AND SLIPS.

ART. I.—*Of Leasing the Public Docks, Wharves, Piers and Slips.*

ART. II.—*Of the Laying of Vessels at the Wharves, and Regulations of Vessels.*

ART. III.—*Of the Rates of Wharfage.*

ART. IV.—*Of Incumbering the Slips.*

ART. V.—*Of the Ringing of Boat Bells.*

ART. VI.—*Of the Lumber Dock.*

## ARTICLE I.

*Of Leasing the Public Docks, Wharves, Piers and Slips.*

§ 1. The several docks, wharves, piers and slips belonging to the Corporation, and not now leased by private contract, shall, from time to time, be leased singly, at public auction, in the most advantageous manner, to the highest bidder, by the Comptroller, such leases to be for a term of not less than one, nor more than ten years, subject to the reservation or exception of small boats, contained and mentioned in the next section of this title, and also subject to the usual covenants contained in the leases of the said public docks, wharves, piers and slips, and such other stipulations as the Comptroller may deem expedient; and such leases shall be made in accordance with the provisions of the act of the legislature, entitled "An act further to amend the charter of the city of New York," passed April 14, 1857.\*

\* Ord. of Feb. 12, 1851.

§ 2. The rates of fees of wharfage on vessels of not more than five tons burden, accruing in all or any of the docks, wharves, piers or slips within this city which by law they may use, belonging to the Corporation, shall hereafter be separately leased, and be known as the Small Boat District; and the necessary reservation or exception of such small boats shall be made in the other leases of the docks and slips\*

§ 3. It shall be the duty of the lessee or lessees of the public wharves, piers and slips, for the time being, to report to the Attorney of the Corporation, the names of all persons who shall violate any of the provisions of this chapter.\*

#### ARTICLE II.

##### *Of the Laying of Vessels at the Wharves, and the Regulations of Vessels.*

§ 4. The Superintendent of Wharves of the city of New York, shall and may order any vessel, steamboat or small craft, to remove from the berths assigned and reserved for the manure boats in the public slips; and any person who has the charge of any vessel, steamboat or small craft, who shall neglect or refuse to obey the order of the said Superintendent in the premises, shall forfeit and pay for every such offence the sum of fifty dollars.†

§ 5. If any description of sea vessel shall come into or lay at or within any of the said docks, wharves, piers or slips, or if any coasting vessel, above the burden of one hundred and fifty tons, shall come into or lay within the

\* Ord. of 1839, p. 225.

† Ibid., p. 226.

same, excepting the Old and Coffee-house slips, unless by special permission in writing, obtained therefor from the Mayor or Superintendent of Wharves, agreeably to the provisions of this title, the owner, master or person having charge of the same, shall forfeit and pay for every such offence the sum of ten dollars, and the additional sum of ten dollars for every twenty-four hours any such vessel shall lay at or within the same.\*

§ 6. If any coasting vessel above the burden of one hundred tons shall come into or lay at or within any of the public docks, wharves, piers or slips, situate on the East river, excepting the Old and Coffee-house slips, unless by special permission in writing, obtained therefor from the Mayor, or Superintendent of Wharves, the owner, master or person having charge of the same, shall forfeit and pay for every such offence the sum of ten dollars for every twenty-four hours any such vessel shall lay at or within the same.†

§ 7. The last preceding section of this title shall not be construed to prevent all or any coasting vessel belonging to this state, and navigating the Hudson river, from coming into and laying at and within any of the public wharves, docks, piers and slips of this city, in like manner as if they were under the burden of one hundred tons.‡

§ 8. If any steamboat, safety-barge, tow boat or freight boat, connected with any steamboat establishment shall come into or lay at or within any of the public docks, wharves, piers or slips aforesaid, or shall occupy the water belonging to any such public dock, wharf, pier or slip,

---

\* Ord. of 1839, p. 226.

† Ibid., pp. 226, 227.

‡ Ibid., p. 227.



unless by special permission, in writing, obtained therefor from the Mayor or Superintendent of Wharves, the owner or owners, master, agent or person having charge of the same, shall forfeit and pay for every such offence the sum of twenty-five dollars, and the additional sum of twenty-five dollars for every twenty-four hours any such vessel shall lay at or within the same.\*

§ 9. The private wharves and piers fronting on and adjacent to the slip lying between the foot of Cortlandt street and the foot of Liberty street, on the North river, are hereby designated and appropriated for the exclusive use of steamboats.\*

§ 10. If the master, owner, or person having charge of any vessel or small craft, which shall lay in any of the aforesaid public slips, shall not remove the same out of such slip, or from one part of such slip to another part thereof, as may be directed, by the expiration of the time within which he, or any seaman, mariner or person employed on board, may be so ordered to remove such vessel or small craft, either by the Mayor or Superintendent of Wharves, every such owner or master of such vessel or small craft shall respectively forfeit and pay for every such offence the sum of twenty-five dollars.†

§ 11. Either of the persons mentioned in the preceding sections of this title, may give such order and directions, from time to time, to the owner, master or person having charge of any sloop, boat or other vessel whatsoever, laying at or within any of the said public wharves, docks, piers or slips, or to any seaman, mariner or person em-

---

\* Ord. of 1839, p. 227.

† Ibid., p. 227, 228.

ployed on board, as they shall respectively think just and proper, touching the laying, fastening and berth of any such sloop, boat or other vessel whatsoever,\*

§ 12. For every neglect or refusal to comply with any such order and direction, mentioned in the last preceding section of this title, the owner, master or person having charge of any such sloop, boat or other vessel, shall forfeit and pay the sum of twenty-five dollars.\*

§ 13. If any boat or vessel of any description whatsoever, excepting ferry boats, shall come into and lay in any slip used and appropriated for a ferry, without permission of the Mayor or Superintendent of Wharves, or shall lay at any dock or wharf, so as to incommode the going into or coming out, or the turning of any ferry boat; or if any vessel, in hauling up or dropping down before either of the slips in which any ferry is kept, shall not drop its fast or anchor on the approach of any ferry boat, so as not to incommode or obstruct the same, the master, owner or person having charge of such boat or other vessel, shall forfeit and pay, for every such offence, the sum of ten dollars.\*

§ 14. No ship or other vessel shall lay at anchor in the East river, within a distance of sixty yards from a direct line between the landing places of either of the public ferries across the said river, under the penalty of twenty-five dollars for each offence, to be paid by the master, owner, or other person having charge of such ship or vessel.\*

§ 15. No person shall bring any vessel or vessels whatsoever, excepting market boats, and other small boats,

---

\* Ord. of 1839, p. 228.

within the slip belonging to the Corporation, at the foot of Spring street, under the penalty of five dollars for every such offence, to be paid by the owner or owners, master or person having charge thereof.\*

§ 16. If any vessel, excepting such as shall belong solely to persons residing in the states of New Jersey, Connecticut and New York, or either of those states, and trading to and from either of the said states and this city, shall be brought into or shall lay at or within Peck slip, the owner, master or person having charge of any such vessel shall forfeit and pay for every such offence, the sum of ten dollars.\*

§ 17. If any vessel or small craft shall be brought into or shall lay at or within Coenties slip, the owner, master or person having charge of any such vessel or small craft, shall forfeit and pay for every such offence the sum of twenty-five dollars, and the further sum of ten dollars for every twenty-four hours the same shall lay at or within the said slip.\*

§ 18. The last preceding section of this title shall not be construed to apply to vessels or small craft belonging solely to persons residing either in the state of New York, New Jersey or Connecticut, and which trade to and from either of the said states and this city.†

§ 19. No person shall bring any vessel or vessels whatever, excepting market boats, periaugers, canoes or small craft, within the bulkhead and piers of the Corporation slips in front of Fulton market, under the penalty of ten dollars for each offence, to be recovered from the

---

\* Ord. of 1839, p. 228.

† Ibid. p. 229.



owner or owners, or person or persons having charge thereof, severally and respectively.\*

§ 20. All market boats, periaugers and canoes, or other small craft of not more than the burden of five tons, coming to the bulkhead and piers mentioned in the last preceding section, shall have the owner's name painted at full length, in legible letters, in a conspicuous place on the inside of the stern, under the penalty of ten dollars, to be paid by the owner, master, or person having charge of the same, severally and respectively.†

§ 21. All market boats, periaugers and canoes, of not more than the burden of five tons, coming to any of the said public docks, wharves, piers or slips, shall have the owner or owner's name or names painted at full length, in legible letters, on the inside of the stern, under the penalty of ten dollars for each offence, to be paid by the owner, master or person having charge of the same.‡

§ 22. The basin or slip fronting to West street, on the Hudson river, and laying between Amos street and Charles street, is hereby appropriated and set apart exclusively for the use of boats bringing hay to the city.‡

### ARTICLE 3.

#### *Of the Rates of Wharfage.*

§ 23. The master, owner, or person having charge of any ship or vessel, or small craft whatever, using or coming to lay with such ships or vessels, at or within any of the docks, wharves, piers or slips within the city of New

---

\* Ord. of 1839. p. 229.

† Ibid. pp. 229, 230.

‡ Ibid. 230.

York, belonging to the said Corporation, if such vessel be of not more than five tons burthen, shall pay to the lessee for the time being, of the small boat district, the like rate of fees of wharfage for so laying or using, as now are or hereafter may be, established and allowed by the legislature of the people of the state of New York, to be taken and received by the proprietors of private wharves in said city.\*

§ 24. If any such vessel, as mentioned in the first section of this title, be of more than five tons burden, such owner or person having charge thereof, shall pay to the lessee or lessees for the time being, of the dock, wharf, pier or slip, at or within which such ship or vessel shall lay, the like rate or fees of wharfage, as now are or hereafter may be established and allowed by the legislature of the people of the state of New York, to be taken and received by the proprietors of private wharves in the said city.†

§ 25. The preceding sections of this article shall be so construed, that for all vessels of not more than five tons burden, there may be paid as aforesaid, in case the owner or master shall elect so to do, on their coming to lay at any of the said docks, wharves, piers, or slips, after the first day of May inclusive in every year, the sum of two dollars and fifty cents, for the use of all the Corporation docks, wharves, piers and slips, within the said city which by law they may use, for the year ending on the last day of April ensuing; which sum shall be paid to the lessee of the small boat district, and shall exonerate such vessel

---

\* Ord. of 1839, pp. 230, 231.

† Ibid. p. 231.

from all other fees of wharfage for the year then current.

§ 26. The preceding sections of this article shall also be so construed, that for all vessels of more than five tons burden, and under twenty tons burden, there shall be paid only thirty cents per day, subject to abatement or half wharfage, according to the provisions of the laws of this state, when not having dock berths.†

§ 27. If the master, owner, or person having charge of any such ship or vessel, coming to lay with such ship or vessel, at or within any of the said docks, wharves, piers or slips, on or after the said first day of May, as mentioned in the 25th section of this chapter, shall elect to pay to the lessee for the time being, of the district in which such dock, wharf, pier or slip is situate, at and after the rate, and in the manner mentioned in the next succeeding section of this article, such ship or vessel shall be exonerated from any other or further payment in said district, for the residue of such year.‡

§ 28. The following are the rates of wharfage mentioned in the last preceding section of this article, to wit:

1. Between the first day of May and the last day of July inclusive, sixty cents per ton.
2. Between the first day of August and the last day of October inclusive, forty-five cents per ton.
3. Between the first day of November and the last day of January inclusive, thirty cents per ton.
4. Between the first day of February and the last day of April inclusive, fifteen cents per ton.

---

\* Ord. of 1839, p. 231.

† Ibid., pp. 231, 232.

‡ Ibid., p. 232.



§ 29. The two last preceding sections of this article shall be so construed, that in case any ship or vessel shall remain in any of the public slips more than fifteen successive days, such ship or vessel shall be subject to daily wharfage thereafter, until such ship or vessel shall depart from such slip, notwithstanding such ship or vessel shall have elected to pay wharfage by the year.\*

§ 30. Notwithstanding anything herein contained, any vessel paying daily wharfage, entitled to lay within or at any of the said docks, wharves, piers or slips, and which shall be laid up and out of employ, with their cargoes landed and sails unbent, between the tenth day of December and the tenth day of March inclusive, in any year, shall be subject for the time during which said vessel shall be so laid up, to the payment of a sum or sums not exceeding one half of the wharfage which they are subject to pay when in active employment; but such vessels shall be liable to be ordered to be removed; agreeably to the provisions of the second article of this chapter.†

§ 31. The owner, master or person having charge of any ship or vessel, coming to lay with any such ship or vessel, at or within any of the docks, wharves, piers or slips, within this city, belonging to the Corporation, on or after the first day of May in any year, shall not be exonerated from the payment of the daily rates or fees of wharfage allowed by the laws of this state, unless the said persons, or some one of them shall, upon such vessel first coming in, and such person or persons being called on by the lessee or his agent for that purpose, forthwith

---

\* Ord. of 1839, p. 232.

† Ibid., p. 232, 233.

elect to pay to the lessee of the district in which such dock, wharf, pier or slip is situated, the yearly or periodical rates or fees of wharfage allowed by the 27th and 28th sections of this chapter.\*

#### ARTICLE 4.

##### *Of Incumbering the Slips.*

§ 32. It shall not be lawful for the owner or master, or person having charge of any vessel that shall be out of employ, to lay up the same at any of the public docks, wharves, piers, or slips, between Stanton street and Whitehall slip, except with the written consent of the Superintendent of Wharves.†

§ 33. No person shall careen or cause to be careened, any vessel at or within any of the public docks, wharves, piers, quays or slips, under the penalty of ten dollars, for every day for which such vessel shall continue to be careened, to be paid by the owner or owners, master, or person having charge of such vessel, severally and respectively.‡

§ 34. No person shall bring into any of the said public docks or slips, nor make nor leave there, the wreck of any ship or vessel, whereby such dock or slip may be incommoded, or the entrance or departure of any vessel or small craft in anywise obstructed, under the penalty of twenty-five dollars for every such offence; and the further penalty of ten dollars for every day, or part of a day the wreck of such ship or vessel shall so continue or remain in any such dock or slip.‡

---

\* Ord. of 1839, pp. 232, 233. † Res. Feb. 22, 1840. ‡ Ord. of 1839, p. 233.

§ 35. No person shall cast any anchor, grappling or killock into or near any of the docks, wharves, piers, quays or slips of the said city; or shall place any cable, rope, chain, or line across the entrance of any slip; or shall permit or cause any vessel to lay at the end of or within any pier, with the jib-boom rigged out; or shall take away any stones, earth, timber, or ballast, belonging to any dock, wharf, pier or slip, from any of the same, under the penalty of ten dollars for every such offence.\*

§ 36. No person shall throw any stones, earth, timber, ballast, shells, ashes, or other dirt or rubbish whatsoever, into, or bring any masts, yards, spars or other kinds of timber, or stages or platforms for working on, within any of the docks, wharves, piers, quays or slips in the said city, under the penalty of ten dollars for every such offence; and the additional penalty of five dollars for every day or part of a day, such masts, yards and spars, or other kind of timber, or stages or platforms for working on, shall remain in any of the said docks, wharves, piers, quays or slips.†

§ 37. If any shells, ashes, stones, or dirt whatsoever, shall be thrown from any vessel into any of the slips or docks aforesaid, the person throwing the same, and the master, or owner or possessor of such vessel, shall forfeit and pay for every such offence, the sum of five dollars.†

§ 38. No steamboat, small boat, or other craft, shall at any time lay alongside of the Battery wall, for the pur-

---

\* Ord. of 1839, pp. 233, 234.

† Ibid., p. 234.



pose of landing or receiving passengers or freight, and the proprietor or proprietors, or persons having charge of any such steamboat, small boat, or other craft, which shall land or receive any passengers or freight at the said Battery wall, shall be fined fifty dollars for each offence.\*

§ 39. The Street Commissioner shall hereafter insert a clause in all contracts for building piers and bulkheads, or repairing the same, that no more timber or other materials shall be deposited in the slips or basins than is necessary for the completion of the work specified in the contract.

#### ARTICLE 5.

##### *Of the Ringing of Boat-bells.*

§ 40. No bell, on board of or near any boat or vessel, or ferry-boat, at any of the wharves, piers or slips in the city of New York, shall be rung before sunrise in the morning, on any pretence whatever, nor shall such bell be rung or tolled at any other time, or for any greater length of time than is herein expressed, under the penalty of twenty-five dollars, to be paid by the master, owner, agent or person or persons having charge of such bell or vessel, and the person ringing or tolling the same, severally and respectively.

1. All such bells may be rung or tolled at the time of starting, one minute, and no longer.
2. They may also ring at or within a quarter of an hour before starting, on each trip, for the space of two minutes.†

---

\* Added by resolution of September 7, 1842, (10 Pro. C. C. pp. 30, 31.)

† Ord. of 1839, pp. 234, 235.

§ 41. No horn, trumpet or other instrument, shall be blown or used in any of the streets, wharves, slips or piers in the city of New York, under the penalty of ten dollars for each offence.\*

§ 42. The last preceding section of this title shall not be construed, to prevent the playing of any band of music, or any single instrument, on board of any vessel at or near any wharf or pier.\*

§ 43. No person shall solicit or request any person or persons, in the public streets, or on any wharf or pier in the city of New York, to go on board of, or take passage in, any steamboat or vessel, under the penalty of five dollars for each offence.\*

#### ARTICLE 6.

##### *Of the Lumber Dock.*

§ 44. There shall be appointed, a suitable person, to be called "The Superintendent of the Public Lumber Dock," whose duty it shall be to take the charge and superintendence of the Lumber dock; to direct the mode of occupying the same; and collect the fees or charges therefor, as hereinafter established, and pay over the same to the Chamberlain of the city.†

§ 45. Such superintendent shall take an oath, faithfully to perform the duties of his office; and before entering upon the duties of his office, shall execute a bond with two or more sureties, in the penal sum of five thousand dollars, conditioned for the faithful discharge of such duties.‡

---

\* Ord. of 1839, p. 235.

† Ibid., pp. 234, 235.

‡ Ibid., p. 235.

§ 46. He shall receive an annual salary of seven hundred and fifty dollars, payable quarterly, for his services; and shall hold his office during the pleasure of the Common Council.\*

§ 47. He shall, on the first Monday of every month, render to the Comptroller, a full and particular statement of all moneys received by him as such officer, verified by oath, stating the names of the persons from whom such moneys were received; the date, the amount and the quantity of timber or logs on which the same was charged; and shall, once in each year, on the first Monday of January, and oftener, if required, furnish a statement to the Common Council, of the whole quantity of timber, logs, spars and other articles which shall have been brought into the said lumber dock during the preceding year; and also the amount remaining therein at the time of making such report.†

§ 48. He shall also keep a book, in which shall be entered the names of all persons bringing timber to the said lumber dock, specifying therein, the dates, qualities and prices charged therefor, and when the same shall be taken away.†

§ 49. No mahogany or other imported wood, or any blocks of granite or marble, shall be allowed to be deposited in any slip below Pike street, on the east, or Canal street on the west side, and not without the written permission of the Superintendent of Wharves.‡

§ 50. The said superintendent shall not, in any man

---

\* Ord. of 1839, pp. 235, 236.    † Ibid., p. 236.    ‡ Res. of Nov. 11, 1847.



ner or way whatever, either directly or indirectly, be concerned in the purchase or sale of any timber or lumber whatever, either in the said dock, or to be brought therein, and in case of any breach of the provisions of this section, he shall forfeit his office, and shall not afterward be eligible thereto.\*

§ 51. The following rates shall be fixed and collected by the superintendent, on all the articles hereafter mentioned, for admission and storage within the Lumber Dock, viz:

On all squared oak timber, three-eighths of one cent for admission, and one and a half cent per year, for every cubic foot.

On all squared pine or other timber, except oak, one quarter of one cent for admission, and one cent per year, for every cubic foot.

On all dock or pump logs, four cents admission, and sixteen cents per year for each piece.

On all spars or masts, not over fifty feet in length, twenty-five cents for each admission, and one dollar per year, for each piece.

On all spars or masts over fifty feet in length, and not exceeding eighty feet, fifty cents for each admission, and two dollars a year, for each piece.

On all spars or masts eighty feet or upward in length, seventy-five cents each for admission, and three dollars per year, for each piece.

On all plank and other sawed lumber, four cents admission, and sixteen cents per year, for every thousand feet.

---

\* Ord. of 1839, p. 236.

Such charges for admission shall be paid, whenever the articles shall be placed within the dock, and be deducted from the payment for rent, when the lumber is taken out of the dock; the rent shall be paid quarterly; and whenever any timber or other articles shall not be kept within the dock for the period of three months from the time of admission therein, the charge thereon shall be the same as if such timber or other articles had remained therein for the period of three months, and so for every three months thereafter. Any expenses which may be incurred, by reason of the removal of any timber or spars, within the basin, by the direction of the superintendent, shall be chargeable to the owner or owners of such timber, and paid by him or them, in the same manner as the other charges under this law.\*

§ 52. The Comptroller shall lease at public auction, such portion of the wharves and piers around the Lumber Dock, as may not be required for the use of the dock; and may grant the privilege of piling lumber thereon, until the first day of May next; and shall lease the same annually thereafter, at the same time and in the same manner as the other wharves are leased by him.†

§ 53. It shall be the duty of the superintendent, not to permit any timber or other articles within said Lumber Dock, to be removed therefrom, until all charges thereon are first paid.‡

§ 54. The Comptroller shall furnish the superintendent

---

\* Ord. of 1839, pp. 236, 237.

† Ibid., p. 237.

‡ Ibid., p. 238.

with a suitable book, for the purpose of keeping all accounts therein, which shall be handed over to his successor in office, from time to time.\*

---

\* Ord. of 1839, p. 238.

REVISER'S NOTE.—This ordinance is not altered, except by erasing the word "Recorder" in several sections, where that officer may in like manner as the Superintendent of Wharves, give permission for laying of vessels, &c. The Recorder is no longer a legislative officer in connection with the Common Council.

The words "Dock-masters," where they occurred, are also stricken out, as that office was abolished by act of May 13, 1846, and the duties devolved upon the captains of police by the act of April 13, 1853.

The operation of the ordinance is not affected thereby, as the "Dock masters" were only mentioned as having the power to grant certain permits and privileges, and the Mayor or Superintendent of Wharves had co-ordinate power, which is still retained.



DOCUMENT No. 15.

---

BOARD OF ALDERMEN,

SEPTEMBER 13, 1858.

---

The following communication from the Clerk of the Common Council, transmitting eighteen chapters of the Revised Ordinances, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

---

*To the Honorable the Common Council:*

The undersigned herewith presents several chapters of Revised Ordinances.

It is proper to state that these ordinance are presented as the different subjects are prepared, and that it is designed to arrange them in the body of the ordinances in such manner as will best classify the different subjects having relation to each other.

Respectfully,

D. T. VALENTINE.

SEPTEMBER 13, 1858.

CHAPTER  
OF CARTS AND CARTMEN, DIRT CARTS, PUBLIC PORTERS AND  
GARBAGE CARTS.

ARTICLE I--*Of Carts and Cartmen.*

II--*Of Dirt Carts.*

III--*Of Public Porters.*

IV--*Of Garbage and other Carts.*

ARTICLE I.

*Of Carts and Cartmen.*

§ 1. Every cart, truck, wagon, dray, or other vehicle, drawn by one or more horses or other animals, which shall be kept, used, driven or employed for the transportation or conveyance of any thing whatsoever, from place to place within the city of New York, for hire, wages or pay for such transportation, shall be deemed a "public cart" within the meaning of this ordinance; and every person who shall set up, or so keep, use, drive or employ any such public cart, without first obtaining license therefor, from the Mayor of said city, as is hereinafter provided, shall be deemed guilty of a violation of this ordinance.\*

§ 2. The Mayor shall, from time to time, license and appoint so many and such persons as he may think proper to set up and keep public carts in said city, provided that no one person shall be so licensed to keep more than three such public carts. And he shall also license so many, and such persons as he may think proper, to be public cartmen

---

\* Ord. June 2, 1851.

of said city, and he may revoke or suspend any or all of such licenses at his pleasure; all persons licensed, as aforesaid, to keep public carts, shall be deemed to be public cartmen within the meaning of this ordinance; but it shall not be lawful for any person to receive or to hold a license to keep public carts, or to be a public cartmen, unless he be a citizen of the United States, and resident within the state of New York, and is the actual owner of the cart or carts, with good horses therefor, so licensed to be kept as public carts; and the Mayor may examine, under oath, all persons applying for, or holding any such license, or the renewal thereof, touching their qualifications as aforesaid; and all licenses, other than to persons so qualified, shall be void.\*

§ 3. The Mayor shall require and receive for the use of the city, from every person to whom he may grant license to keep public carts as aforesaid, two dollars and fifty cents for every cart so licensed; and from every person licensed as aforesaid to be a public cartmen, one dollar; and fifty cents for the license for each cart and public cartman renewed, as hereinafter provided.†

§ 4. All licenses to persons to keep public carts and to be public cartmen, shall expire on the last day of October next after the date thereof; and it shall be lawful for the Mayor to renew and continue any or all of such licenses for a year succeeding such last day of October, provided that the applicant therefor continues in all things qualified, as hereinbefore provided, to hold such license, and the application be made therefor prior to the expiration thereof, at such time as may be appointed by the Mayor.†

---

\* Ord. July 30, 1856.

† Ord. June 2, 1851.



§ 5. No public cart shall be driven or used within said city, except by a duly licensed public cartman; and the person to whom license is granted to keep and use a public cart, shall, for all the purposes of this ordinance, be considered the owner thereof, and responsible for all articles intrusted to, and for the conduct of the driver thereof, and liable to all forfeitures, penalties and punishments herein contained or provided.

§ 6. Every public cart shall have fairly painted on the outside of the square of the after part of the shaft, or on some other conspicuous place, on each side, with black paint on a white ground, so as to be easily seen, the number of the license therefor, in plain figures of at least two and a half inches in length; and the driving or using of a public cart, without its being so numbered, shall be deemed a violation of this ordinance.\*

§ 7. Every person licensed as aforesaid to keep a public cart, upon failing to renew the license for, or disposing of, or parting with the same, shall deface, remove and obliterate the license number therefrom, and failing or neglecting to do so, shall be deemed to be a violation of this ordinance.\*

§ 8. Every person, upon receiving a license to keep a public cart, or to be a public cartman, shall report his residence to the Mayor; and upon changing his residence, shall in like manner report his new residence, and the failing or neglecting to do so, shall be deemed to be a violation of this ordinance.\*

§ 9. It shall not be lawful for any person other than a

---

\* Ord. of June 2, 1851.

public cartman, to keep, use, drive or employ any cart or other vehicle with numbers or figures thereon similar to or resembling the numbers on public carts, or for any person licensed to keep public carts, to place or have any number for which he may have received license, on more than one cart, or to use more carts as public carts than he may have license for.\*

§ 10. The Mayor may assign to the owner of each duly licensed public cart, a stand, where such cart may remain, waiting to be employed, and also a stand where it may remain at other times, provided that no such stand shall be assigned for a cart to remain at such other times in front of the premises of any person other than the owner of such cart, against the wishes of the occupant thereof, and provided further, that carts shall not be permitted to so stand two abreast in any of the streets; and every public cartman who shall permit his cart to stand loaded, or waiting for employment, or to remain at other times at any place other than the one so assigned for such carts, shall be deemed guilty of a violation of this ordinance.\*

§ 11. The Mayor, and the several officers and members of the police department and magistrates, shall have power and authority to order the driver or other person having charge of any public cart or any other vehicle, to remove such cart or other vehicle away from any place in any of the streets, or on any of the wharves or docks of said city which, in his or their opinion, may be improperly incum-

---

\* Ord. of June 2, 1851.

bering such street or wharf, or obstructing or impeding the public travel; and any and every person neglecting or refusing to comply with or obey any such order, shall be deemed guilty of a violation of this ordinance.\*

§ 12. It shall be the duty of every person driving or having charge of a public cart, to give to any person requesting it, his name and place of residence, his number, and the number of the cart he is driving or in charge of, and the name and place of residence of the owner thereof; and the refusal to do so shall be deemed a violation of this ordinance.\*

§ 13. If any accident or injury shall happen to any person, or any carriage, vehicle or other thing, by reason of coming in contact with any public cart, or other cart, or vehicle, or the horse or horses attached thereto, or any thing loaded thereon, while the same is moving, it shall be the duty of the person driving or having charge of the same, to immediately stop, and, if necessary, render his assistance, and to give his name and residence, and to give the number of the cart or other vehicle he was driving, and the name and residence of the owner thereof, under the penalty of fifty dollars, to be recovered from the driver or owner of any such cart or other vehicle.\*

§ 14. It shall not be lawful for any public cartman, or for any person driving or having charge of any public cart or any other cart, wagon or other vehicle, to drive or back any such public cart, or any other vehicle, on to the sidewalk of any of the streets of said city, or to stop any such cart, or any other vehicle, on any of the crosswalks

---

\* Ord. June 2, 1851.



or intersection of streets, so as to obstruct or hinder the travel along such crosswalks or intersections of streets, or to place any such carts or other vehicles cross-wise of any street or wharf of said city, except to load thereon, or unload therefrom, articles of greater weight each than two hundred pounds; but in no case shall it be lawful for any person to permit such cart or other vehicle to remain so cross-wise of any street for a longer period than may be actually necessary for such purpose, and not to exceed five minutes.\*

§ 15. It shall not be lawful for any cart, wagon, coach, public cart or any other vehicle, to be driven through any of the streets of the city of New York at a greater speed than six miles an hour; nor shall it be lawful for any such vehicle to be driven around the corner of any of the streets of said city, with the horse or horses thereto traveling at a faster gait than a walk; and all and every such public carts, and all other vehicles, when passing through or along any of the streets of said city, shall, when meeting any other vehicle, be driven to the right-hand side of the way, so that such vehicles shall pass clear of each other; and it shall be unlawful for any such public cart, carriage or any other vehicle, or the horse or horses attached thereto, to be driven foul of, or against any person, vehicle, or any other thing whatever, in any of the streets, or on any of the docks and wharves of said city.†

§ 16. No cart, dray, truck or wagon shall be driven over any of the wharves or piers of the city of New York, at a greater rate of speed than a walk, under a penalty

---

\* Ord. June 2, 1851.

† Ord. Sept. 19, 1851.

of five dollars, to be sued for and recovered from the owner or owners, or driver thereof, severally and respectively.\*

§ 17. Each sled, cart or dray employed in the transportation of any goods, wares, merchandise or other things excepting firewood, shall be two feet five inches wide between the foremost rungs, and two feet nine inches wide between the hindmost rungs, and no more; and all the rungs shall be three feet eight inches high above the floor of the sled or cart, and no more, under the penalty of five dollars for every such offence.†

§ 18. Licensed cartmen of the city of New York shall and may be permitted to use iron-shod wheels, under the regulations following:

1. The iron or tire round the wheels shall be in breadth not less than three inches, and the nails with which the tire shall be nailed or fastened to the wheels, shall be sunk into the iron or tire, so that the heads of such nails shall not project beyond the surface thereof.

2. The rims of the wheels of all carts not shod with iron in the manner aforesaid, shall not be less than four inches and a half broad, and eight inches deep, when new.

3. If any cartman shall use any cart in violation of either or any of the provisions of this section, he shall forfeit and pay the sum of five dollars for every such offence.†

§ 19. Furniture or spring carts hereafter licensed, shall be ten feet in length, and no more, and four feet four inches

---

\* Ord. Dec. 16, 1847.

† Ord. May 14, 1839.

wide, and no more; and the tires thereof shall be not less than two inches in width; and all other provisions of this law, not inconsistent herewith, shall be applicable to all furniture or spring carts now in use, or hereafter to be made or licensed.\*

§ 20. The prices or rates to be taken or charged for the loading, transportation and unloading of goods, wares or other articles, shall be as follows, to wit:

Oils, molasses, and all wet casks containing less than twenty-five gallons, for every load.....\$	Cents. 38
Of twenty-five and under fifty gallons, for every four.....	40
Of fifty and under one hundred gallons, for every two.....	45
Of one hundred gallons and upward, for every one hundred gallons.....	50
Sugar, tobacco, copperas, and all dry casks of under one thousand pounds' weight, for every load	38
Of one thousand pounds, and under one thousand five hundred pounds, each.....	45
Of one thousand five hundred, and under two thousand pounds, each.....	50
Of two thousand pounds and upward, for every hundred pounds. and other ponderous articles of one thousand pounds' weight and upward, at the same rate.....	5
Hay, loose, per load.....	1 00
Bricks, when handled and piled, per load.....	40
Hoop poles, loose, per load.....	50
Timber and lumber, per load.....	35

\* Ord. May 14, 1839.



	Cents.
Hemp, loose, for every one thousand two hundred pounds.....	50
Beef and pork, for every five barrels.....	38
Calves, sheep and lambs, per load.....	35
Coal, per ton.....	50
Coal, per half chaldron.....	40
Cotton, for every three bales.....	38
Earthenware, loose, per load.....	40
Oil floor cloths, in boxes or rolls of less than ten feet in length, per load.....	33
Of ten feet, and less than fifteen feet in length, each.....	33
Of fifteen feet, and less than twenty feet in length, each.....	50
Of twenty feet, and less than twenty-four feet in length, each.....	65
Of twenty-four feet and upward, as may be agreed on.	
Plaster of Paris, loose, per ton.....	65
Salt, for every twenty bushels.....	33
Cut stone, per load.....	35
Slates or tiles, per load.....	35
Household furniture, loose, per load.....	50
For loading, unloading and housing furniture in the removal of families, extra per load.....	50
Bedding, tied up, chests, trunks and boxes, per load	38
Cassia, in mats, per one hundred mats.....	25
Anchors, of under three hundred pounds' weight, per load.....	38
Of three hundred pounds' weight and upward, per one hundred pounds.....	10
Chain cables of under one thousand pounds' weight, per load.....	40

	Cents
Of one thousand pounds' weight and upward, per one hundred pounds.....	05
Iron hollow ware, per load.....	40
Iron and steel, per load.....	45
Fish, dry, per load.....	50
And for every load of goods, wares and merchan- dise, or other things not enumerated.....	38

*Provided*, That when the distance exceeds half a mile, and is within a mile, one third more shall be added to the above rates and prices, and in the same proportion for any greater distance. And if any public cartman shall ask, demand, receive, take, exact or extort any greater rate, price, pay or compensation, for carting or transporting any article or thing whatsoever, than is mentioned, allowed, expressed and limited as aforesaid, it shall not be lawful for him to receive any compensation for the said carting or transportation, and the said asking or receiving shall be deemed a violation of this ordinance.\*

§ 21. It shall not be lawful for any public cartman to neglect or refuse to carry and transport a good and sufficient load, as much as can be conveniently and safely stowed on his cart, or is reasonable for one horse to draw, nor any article of less than two thousand pounds' weight, when required so to do, unless he be then actually otherwise employed; and every public cartman and public porter shall be entitled to be paid the legal rate or compensation allowed and provided in this ordinance, immediately upon the carting or transportation of any article or thing; and it may be lawful for any such public cart-

---

\* Ord. of Dec. 19, 1853.

man or public porter, to retain any article or thing so carted or transported by him, for which he is not so paid his cartage, and to convey the same without delay to the office of the Chief of Police, and he shall be entitled to the lawful rate of pay or compensation for the so conveying. All disputes or disagreements as to distance or rates of compensation, between public cartmen or public porters, and persons employing them or owing for cartage or transportation, shall be determined by the Mayor.\*

§ 22. It shall not be lawful for any public cartman, or any other person, to cart or transport through any of the streets of said city, any planks, poles, spars, timber or other thing exceeding thirty feet in length, except on a suitable truck or other vehicle, and such plank or other thing shall be placed lengthwise thereon, so as not to project at either end beyond the line of the side, or width of such truck or other vehicle; and all persons so carting or transporting any such poles, plank, timber, spars, or other things, in any other manner, shall be deemed guilty of a violation of this article.\*

§ 23. It shall not be lawful for the driver or other person having charge of any public cart, dirt cart or any other vehicle, to be off, or away from any such cart, or any other vehicle, while the same is moving or passing along any of the streets or avenues of said city; nor shall it be lawful for any public cartman, while waiting for employment at any place assigned for his cart, to stand waiting for employment, at any other place, or to snap or flourish his whip, or to be away from his cart, unless from necessity or on business, or to sit or stand about

---

\* Ordinance June 2, 1851.



the door steps or platforms, or in front of any house, store or other building, to the annoyance of the occupants thereof.\*

§ 24. It shall not be lawful for any person, who has been licensed to keep public carts, or to be a public cartman, and whose license has been suspended or revoked by the Mayor, to keep, drive or use any public cart in the city of New York, under the penalty of twenty-five dollars for every such offence.\*

§ 25. The stanchions of every public cart employed in the transportation of any fire-wood, shall be shouldered with a band of iron around the part which enters the mortice, and the mortice cased with iron, so as to prevent the wearing of the stanchion or mortice; and, at least three feet distant from the floor of the cart, there shall be fixed across from one stanchion to the other an iron chain, so as to prevent the stanchions from spreading, and no public cartman shall cart any fire-wood in violation of any of these provisions.\*

§ 26. It shall not be lawful for any person to keep, drive, use or employ any cart, wagon, truck, dray or other vehicle, other than such as are licensed as herein provided, for the transportation or conveyance of any article or thing, from place to place in the city of New York, unless the name and residence or place of business, where such owner can be found, (of the owner thereof,) be fairly and distinctly painted, with red paint, on a white ground, in plain letters and figures, at least two and a half inches long, in a conspicuous place, on both sides of such cart or

---

\* Ordinance June 2, 1851.

other vehicle, or so as at all times to be easily seen thereon.\*

§ 27. Every cartman who shall be duly licensed in the city of New York, shall be permitted to place and leave his cart, when unemployed, in front of the house or premises where he shall at the time reside, or in front of the stable where he shall at the time stable his horse; provided that such cart shall be placed on the street upon the carriage-way thereof, in close proximity to the curb stone next to his said residence or stable, and shall not extend beyond said curb stone any greater distance than the width of such cart, nor beyond the line of the lot on which his said residence or stable is situated, and provided that such place of residence or stable shall be specified upon the license for such cart.†

§ 28. Nothing in the last section contained shall be construed to apply to any vehicle other than public carts in the city of New York.†

§ 29. It shall be the duty of the person or officer exercising the duties of Superintendent of Carts to visit daily, the several stands and places in the city, where cartmen are in the habit of waiting for employment, and to see that all the ordinances regulating carts and cartmen, including dirt carts, are in every respect complied with.

§ 30. It shall be the special duty of the said person or officer to ascertain whether any carts are driven for hire by persons who have not received licenses therefor, and to report such and all other offences or violations of the law to the attorney of the Corporation.

---

\* Ordinance June 2, 1851.

† Ordinance May 24, 1853.

## ARTICLE 2.

*Dirt Carts.*

§ 31. The Mayor of the city of New York may grant license to such and as many persons as he may deem proper, to keep and use such number of dirt carts as he shall think expedient, to be employed exclusively in the carting and transportation of dirt, sand, gravel, clay, paving stones, ashes, garbage and building rubbish, and revoke or suspend any or all such licenses at his pleasure; and it shall not be lawful for any person to drive or use any cart, wagon or other vehicle, for the transportation of any such dirt, sand, gravel, clay, paving stones, ashes, garbage, or building rubbish within the city of New York, for hire, wages or pay, for such transportation, unless the said cart or other vehicle be licensed as aforesaid. Provided, that nothing herein shall prevent any person licensed as a public cartman, or to keep public carts from driving or using any such public cart in the carting and transporting of any such sand, gravel, clay, paving stones, ashes, garbage or building rubbish, the same as if they were licensed as dirt carts. This section shall not be construed to permit any dirt cart to be used in the transportation for hire, wages or pay, of any article or thing whatsoever, other than is herein specified.\*

§ 32. Every license granted as aforesaid, shall continue in force for one year, from the date thereof, and may be renewed by the Mayor at any time before the expiration thereof, for a succeeding year.\*

§ 33. Every person, upon receiving a license to keep and use one or more dirt carts, as hereinbefore provided,

---

\* Ord. June 2, 1851.



shall pay to the Mayor, for the use of the city, one dollar for every cart so licensed; and the further sum of twenty-five cents upon the renewal of the license for every such cart.\*

§ 34. Every dirt cart, and every public cart, when used as a dirt cart, shall be furnished with a good and tight box, the sides and forepart of which shall be two feet, and the tail-board eighteen inches high, and of capacity to contain twelve cubic feet; and on all dirt carts the letters D. C., and the number of the license therefor, shall be fairly and distinctly painted, with black paint, on a white ground, on the square of the after part of the shaft, on both sides, in plain legible letters and figures at least two and a half inches long, so as to be easily and distinctly seen, and so continued; and every person driving or using a dirt cart, without being so furnished and numbered, shall be deemed guilty of a violation of this ordinance.\*

§ 35. It shall not be lawful for the owner or driver of any dirt cart or any other vehicle, or for any other person, to use or employ, or permit to be used or employed, any such dirt cart or any other vehicle, for the conveyance or removal of any dirt, sand, gravel, stones or other thing, from any of the streets, or avenues, or highways, or from any lot of land or other place, or to dump, deposit, or leave any dirt, sand, gravel, rubbish, or other thing, in any of the streets or highways, or on any dock or wharf, or on any lot or lots of land within said city, without being duly authorized or permitted so to do by the public officer or other person competent to give such authority or permission.\*

§ 36. All persons offending against the provisions of the

---

\* Ord. June 2, 1851.

last section, shall forfeit and pay twenty-five dollars for each offence.\*

ARTICLE III.

*Of Public Porters.*

§ 37. The Mayor shall license and appoint as many and such persons as he may think expedient, to be public porters of the city of New York, and revoke or suspend any or all of such licenses at his pleasure; and it shall not be lawful for any person to use any wheelbarrow or hand-cart to carry, transport or convey baggage, goods or other things, from place to place within said city, for hire, wages or pay for such conveyance, or to be at any hotel, boarding-house, ferry, steamboat landing, railroad station or depot, and solicit of strangers, travelers, citizens or other persons, or accept the conveyance of baggage or other articles, without being licensed as aforesaid by the Mayor.\*

This section shall not be construed to prevent any person keeping, or employed in, any hotel or boarding-house, from conveying any baggage or other articles to or from such hotel or boarding-house, and using a hand-cart or wheelbarrow therefor; provided the name of the hotel or boarding-house, and the keeper thereof, be painted distinctly on both sides of such wheelbarrow or hand-cart, and on a badge worn on the front of his hat or cap, so as to be easily and distinctly seen.\*

§ 38. All licenses to public porters, granted as aforesaid, shall run one year from the date thereof, and may be renewed by the Mayor at any time within the said year for a succeeding year.\*

---

\* Ord. June 2, 1851.

§ 39. Every person receiving a license to be a public porter, as aforesaid, shall pay to the Mayor for the use of the city, one dollar; and a further sum of twenty-five cents upon the renewal of every such license.\*

§ 40. Every public porter shall wear, in a conspicuous place about his person, so as to be easily seen, a brass plate or badge, on which shall be engraved his name, the words, "public porter," and the number of his license; and it shall be unlawful for any other person to wear or exhibit any badge purporting to be, resembling, or similar to, the badge of a public porter; and no public porter shall permit any other person to wear his badge or use his name in any way whatever, in the transportation or conveyance of any thing.\*

§ 41. Public porters shall be entitled to charge and receive for the carrying or conveyance of any article, any distance within half a mile, twelve cents, if carried by hand; and twenty-five cents if carried on a wheelbarrow or hand-cart; if the distance exceeds half a mile, and is within a mile, one half of the above rates in addition thereto, and in the same proportion for any greater distance.\*

§ 42. No public porter or hand-cartman shall be entitled to recover or receive any pay or fare, from any person for the transportation of any article or articles, unless his name and number of his license, and the rates shall be fixed, and the badge worn, agreeably to this ordinance.†

§ 43. Upon the trial of any cause commenced for the

---

\* Ord. June 2, 1851.

† Ord. May 14, 1839.



recovery of any of the aforesaid prices or rates, it shall be incumbent on the plaintiff in such action, to prove that the badge was worn and the prices fixed, agreeably to the last preceding section, at the time the services were rendered for which the suit was brought.\*

§ 44. No public porter or hand-cartman shall neglect or refuse to transport any article or articles, when required so to do, unless he shall then be actually and otherwise employed, or unless the distance he shall be required to go shall be more than two miles, under the penalty of five dollars for each offence.\*

§ 45. No public porter or hand-cartman shall suffer or permit any other person than himself to carry any article or articles, in his wheel or hand-barrow, or hand-cart, or to wear his badge, under the penalty of five dollars for every such offence.\*

§ 46. If any public porter shall ask or demand any greater rate of pay or compensation for the carrying or conveyance of any articles than is herein provided, he shall not be entitled to any pay for the said service; and to so ask, demand or receive any such greater pay or compensation, shall be deemed a violation of this ordinance.†

§ 47. It shall not be lawful for any person to represent himself as, or to wear or exhibit any badge, inscription, card or device purporting or implying that he is employed or authorized by the keeper, proprietors, agent or officer of any hotel, boarding-house, vessel, steamboat or railroad company, to solicit, receive or convey persons,

---

\* Ord. May 14, 1839.

† Ordinance June 2, 1851.

baggage or other things to or from any such hotel, boarding-house, vessel, steamboat, or railroad company's station or depot, without being actually and duly authorized by such keeper, proprietor, officer or agent, so to do, under the penalty of twenty-five dollars for every offence.\*

*General Provision.*

§ 48. All persons who shall violate or fail to comply with any of the provisions of this chapter, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished, pursuant to the provisions of sections 20 and 21 of an act relative to the powers of the Common Council of the city of New York, and the criminal courts of said city, passed by the legislature of the state of New York, January 23d, 1833:—or in lieu thereof, shall forfeit and pay, for the use of said city, ten dollars for each and every offence, except where a penalty is prescribed in said ordinance.\*

ARTICLE IV.

*Of Garbage and other Carts.*

§ 49. Every cart or other vehicle used to convey or transport dirt, manure, sand, gravel, mud, ashes, lime, garbage, swill, offal, or other loose materials, in any of the streets of said city, shall be fitted with a good and substantial tight box thereon, the sides of which shall be twenty-four inches, and the tail-board eighteen inches high, so that no portion of such dirt, sand or other loose material be scattered or thrown into any of said streets; and all carts or other vehicles, when used in carting

---

\* Ord. June 2, 1851.

slaked lime, garbage, offal, swill, or other offensive matter, or ashes, shall have the box thereof closely covered with a sufficient covering of cloth, or boards closely fitted, so as to prevent the escape or flying about of any of the contents, or effluvia therefrom; and every person using any cart or other vehicle for any such purpose, without its being so fitted, shall be deemed guilty of a violation of this ordinance.\*

---

\* Ord. June 2, 1851.



REVISER'S NOTE.—The only alteration from the existing ordinances is in one section where "the person exercising the duties of Superintendent of Carts," is substituted for the "Superintendent of Carts."

## CHAPTER

## OF EXPRESS WAGONS.

SECTION 1. All the provisions of the preceding chapter of these ordinances, as far as relates to carts and cartmen, and not inconsistent herewith, excepting sections 2, 3, 6, 10, 20 and 21 of said chapter, are extended to, and shall include and be applicable to all wagons and other vehicles, commonly known as express wagons, which shall be kept, used, driven or employed for the transportation of any thing whatsoever, to or from any place within the city of New York, from or to any place wheresoever, for hire, wages or pay; provided always, that the owner or owners of such wagons or vehicles shall have a place in the city of New York, for the transaction of such business.\*

§ 2. The Mayor shall, from time to time, license and appoint so many and such persons as he may think proper to set up and keep one or more express wagons in said city; and he may revoke or suspend any or all such licenses at his pleasure; but it shall not be lawful for any person to receive or hold a license to keep such express wagons, unless he is the actual owner of the wagon or wagons, and of a good horse or horses therefor, nor unless he be a citizen of the United States, and has a family, and resides with his family in said city; or if not having a family, shall have resided himself therein during the six months preceding; and the Mayor may examine, under

---

\* Ord. Feb. 7, 1855.

oath, all persons applying for or holding any such license or the renewal thereof, touching their qualifications, as aforesaid; and all licenses, other than to persons so qualified, shall be void.\*

§ 3. The Mayor shall require and receive, for the use of the city, from every person to whom he may grant license to keep such express wagons, five dollars for every wagon so licensed, and two dollars and fifty cents for the licenses of each wagon renewed.\*

§ 4. Every such express wagon shall have fairly painted on the outside thereof, in a conspicuous place, on each side, so as to be easily seen, in plain letters and figures of at least two and a half inches in length, the name of the owner or owners, the place of business in said city, and the number of the license for such wagon, and such owner or owners shall be responsible for all articles intrusted to such wagon or to the driver thereof, and for the conduct of such driver, whilst in charge of or with such wagon.\*

§ 5. No person shall drive such express wagon unless he be twenty-one years of age, and have obtained license from the Mayor for such purpose, under the penalty of ten dollars for every such offence, to be recovered from the owner or owners of such express wagon, and from such driver, both or either.\*

§ 6. The Mayor is hereby authorized to grant licenses, from time to time, to drivers of such express wagons, as are herein mentioned, as often as may be necessary, and

---

\* Ord. Feb. 7, 1855.



to suspend and revoke the same whenever he may deem it expedient.\*

§ 7. Any driver of an express wagon who shall be thrice convicted of a breach of any of the sections of this chapter of these ordinances, shall be deprived of his license, and forever debarred of a license under this ordinance.\*

---

\* Ord. Feb. 7, 1855.

REVISER'S NOTE.—There is no alteration in this from existing ordinances.

## CHAPTER

## OF STAGES OR ACCOMMODATION COACHES.

ARTICLE I.—*Of Licensing Stages or Accommodation Coaches.*

II.—*Of the Places where Stages or Accommodation Coaches may Stand, waiting for Hire.*

III.—*Of Stages while on the Stand, or moving from one part of the Stand to another.*

IV.—*Of Stages while going or driving.*

V.—*Of the Superintendence of Stages.*

VI.—*General Provisions.*

## ARTICLE I.

*Of Licensing Stages or Accommodation Coaches and Drivers.*

§ 1. The Mayor of the city of New York, for the time being, is hereby authorized and required, from time to time, to issue licenses, under his hand and seal, in accordance with the provisions of the laws of the state of New York, to persons to keep and use accommodation coaches or stage coaches. Such licenses shall specify, in each case, and for each coach or stage, the name of the owner; the number of the coach or stage; the route to be taken in going to, and returning from, such parts of the city for which it shall be licensed.\*

§ 2. All licenses granted by virtue of this title, shall expire on the first Monday in July next after the date thereof, and shall be renewed by the Mayor, on application.†

---

\* Ord. 1839, p. 311.

† Ibid., p. 312.

§ 3. A separate license shall be taken out for every accommodation stage or coach.\*

§ 4. Every person licensed, by virtue of the provisions of this chapter, shall pay to the Mayor of the city of New York, for the use of the city, for every accommodation coach or stage, or stage coach which such person shall keep, the sum of thirty dollars, when drawn by four horses, and twenty dollars, when drawn by two horses; and half those prices respectively, when the tire of any accommodation coach or carriage licensed by this act shall be of the width of four inches or upwards.\*

§ 5. No accommodation coach or stage drawn by more than two horses, except such as were licensed before the seventh day of April, one thousand eight hundred and thirty-five, shall be licensed, or permitted to run in the streets of this city.\*

§ 6. The owner of any coach or stage, driven without license, or taking any other route than that designated by license, or using any other street or place than that assigned by license to it, shall, in each, or any, or every case of such violation of this ordinance, be subject and held to pay the penalty of twenty-five dollars.\*

§ 7. No person shall keep, or drive for hire or wages in the city of New York, any accommodation coach or stage, or stage coach, by whatever name or title the same may be known or designated, without being licensed as aforesaid, under the penalty of fifty dollars for every such offence, to be recovered from the owner or owners, or driver thereof, severally and respectively.\*

---

\* Ord. 1839, p. 312.



§ 8. No person shall drive any such coach or stage, unless he be twenty-one years of age, and have obtained license from the Mayor for such purpose, under the penalty of ten dollars for every such offence, to be recovered from the owner of such coach or stage, and from such driver, both or either.\*

§ 9. The Mayor is hereby authorized to grant licenses, from time to time, to drivers of such coaches as are herein mentioned, as often as may be necessary, and to suspend and revoke the same whenever he may deem it expedient;\* and every driver of a stage or accommodation coach shall, on receiving his license, pay to the Mayor of the city of New York, for the use of the city, the sum of twenty-five cents.†

§ 10. Any driver of any stage, coach or carriage, who shall be thrice convicted of a breach of any of the sections of this article of these ordinances, shall be deprived of his license, and forever debarred of a license under this ordinance.‡

§ 11. The provisions and penalties of the several sections of the ordinances regulating hackney coaches, shall apply, in every respect, to all accommodation stages or coaches, or stage-coaches, which shall or may be licensed, by virtue of the provisions of this chapter.‡

#### ARTICLE II.

##### *Of the Places at which Stages may stand waiting for Hire.*

§ 12. Accommodation stages or coaches, or stage-coaches may stand, waiting for hire or employment, at all

---

\* Ord. of 1839, p. 312.

† Res. Sept. 11, 1850.

‡ Ord. 1839, p. 313.

times, Sundays excepted, at the stands herein named, to wit:\*

§ 13. All those stages or coaches which run or ply between Wall street and Greenwich Village, may stand, for the purpose of receiving passengers, on the westerly side of Nassau street, between Wall street and Pine street, and on the westerly side of Broad street, at its junction with Wall street, and at such other places as may be designated by the Mayor.\*

§ 14. The stage-coaches or carriages named in the last preceding section of this article may, from time to time, in their passage northward from the said stand, call at the southwesterly corner of Nassau street and Pine street, to take up and receive passengers, provided, that no such stage-coach or carriage shall remain or stand at the said corner longer than five minutes at any one time.†

§ 15. It shall be the duty of the Alderman and Councilman of the respective districts, where it may be necessary to fix a stand for the accommodation of stage-coaches, together with the Mayor, to designate a place for the accommodation of said coaches; and the place so fixed upon by a majority of them, shall be the stand or place until a change shall be made by the same authority.‡

§ 16. The Aldermen and Councilmen of the districts embracing the Fourth, Sixth, Seventh and Tenth Wards are hereby authorized to designate a place or stand, on Chatham square, for the accommodation of stages from Harlem, Yorkville, or any intermediate places, and which

---

\* Ord. 1839, p. 313.

† Ibid., pp. 313. 314.

‡ Ib. 314.

receive or discharge their passengers in the Bowery, and also to fix the period of time which they shall be permitted to remain there; and the stand so designated shall be appropriated for said stages.\*

§ 17. If any stage or accommodation coach or carriage shall be allowed to stand, for hire or employment, in any other street or place, or for any longer time than is prescribed by or under this ordinance, the owner or driver thereof shall forfeit and pay, for every such offence, the sum of five dollars, to be sued for and recovered from the owner and driver thereof, severally and respectively.\*

#### ARTICLE III.

##### *Of Stages while on the Stand, or moving from one part of a Stand to another.*

§ 18. Every stage-coach or carriage named or referred to in the second article of this chapter shall, on returning to the stands designated for them, take its station in the rear of the stage-coaches or carriages then occupying the stands; and each stage-coach or carriage, when leaving the said stand, shall wait for its turn in the order in which it arrives on said stand, under a penalty for a violation of either of the provisions of this section, of ten dollars, to be sued for and recovered from the owner or driver thereof, severally and respectively.†

§ 19. No stage-coach or carriage, occupying either of the stands designated for them, shall, for the purpose of taking and conveying passengers, leave the stand or place which it occupies, until its turn, under the penalty of five

---

\* Ord. 1839, p. 314.

† Ibid. pp. 314, 315.



dollars for every offence, to be sued for and recovered from the owner or driver thereof, severally and respectively.\*

§ 20. No stage-coach or carriage, while upon, at, or near either of the said stands, shall stand abreast, or alongside of any other stage-coach, or carriage, under the penalty of five dollars for every such offence, to be sued for and recovered from the owner or driver thereof, severally and respectively.\*

§ 21. No stage-coach or carriage shall leave the stands designated for them, until five minutes shall have elapsed after the departure of the stage-coach or carriage immediately preceding, under the penalty of five dollars, to be sued for and recovered from the owner or driver thereof, severally and respectively.\*

§ 22. The Mayor of the city of New York, by and with the consent of the Aldermen and Councilmen, representing the respective districts, shall have full power and authority to make such rules and regulations, and give such orders respecting the standing of accommodation stages or coaches or stage-coaches, at and upon the stands designated and specified for such coaches or stages, as may be necessary to preserve order and decorum.\*

§ 23. Every owner or driver of any such stage-coach or carriage, who shall neglect to obey any of the said rules, regulations or orders, shall forfeit and pay, for every such offence, the sum of five dollars, to be recovered from the owner or driver of any such coach or carriage, severally and respectively.†

---

\* Ord. of 1839, p. 315.

† Ibid, pp. 315, 316.

§ 24. No person, whether driver or owner of any hackney coach or accommodation stage coach, while waiting for employment at either of the said stands, shall snap or flourish his whip, or shall leave such coach or carriage under the penalty of five dollars for every such offence, to be recovered from the owner or driver thereof, severally and respectively.\*

#### ARTICLE IV.

##### *Of the Stages while going or driving.*

§ 25. The owner or driver, or person having charge of any stage or accommodation coach, shall not drive, or permit the same to be driven in the city of New York, at greater speed than at the rate of six miles an hour, nor at a less rate than four miles an hour, unless obstructed in the streets, under the penalty of ten dollars for every such offence.†

§ 26. The owner or driver, or person having charge of any stage or accommodation coach, shall not, on any street, road, avenue or highway in the city of New York, pass or attempt to pass with the same any other stage or accommodation coach, which shall be driving or going the same route or direction on the same street, road or way, at the rate or speed of four miles and upwards an hour, under the penalty of ten dollars for every such offence.†

§ 27. No coach or stage, after the commencement of its route in going or returning, shall stop until its arrival at the termination of such route, unless an actual necessity

---

\* Ordinance of 1839, p. 316.

† Ord. Dec. 11, 1844.

shall exist therefor, (or to set down a passenger or passengers, or to take up and into such stage a passenger or passengers claiming to be admitted;) and no such coach or stage shall be stopped or driven abreast of another, or stopped so as to obstruct the free passage of any crosswalk or cross street, or the passage-way at the intersection, head or termination of any street, under the penalty of ten dollars for each and every offence.\*

§ 28. No driver shall take up or set down any passenger or passengers, except upon the right hand side of the way, in going and returning on his route, between Tenth street, in Broadway, Chatham square, head of Chatham street, and the southerly or easterly termination of his route, under the penalty of ten dollars for each offence.\*

§ 29. Every stage or coach shall be numbered, on each side near the centre thereof, and on the door behind, both on the inside and the outside panel, with the license number thereof, in plain, distinct figures, four inches in length, painted on a ground of a distinct contrast color, and so placed as to be readily seen and known at all times, under the penalty of twenty-five dollars for each and every day's use of such stage or coach not so numbered.\*

§ 30. Every stage or coach when driven or used in the night, shall have fixed upon the inside of the front of the stage, a sufficient lighted lamp or candle, and shall have the number of its license, in plain legible figures of at least four inches in length, and no other figure or device, painted on each front side sash-light of such stage or ac-

---

\* Ord. Dec. 11, 1844.



accommodation coach, in such a manner that the same may be distinctly seen and known by persons either inside or outside, (whether the said stage or accommodation coach may be standing or driving;) said sashes to be made and kept stationary, under a penalty of ten dollars for every violation.\*

§ 31. No stage or coach shall have exhibited, on any part thereof, any other number than the number of its license, under the penalty of fifty dollars.

§ 32. The owner or owners, driver, and any person having the charge of any stage or accommodation coach, shall be liable, severally and respectively, for the penalty or penalties prescribed for any and every infringement of the provisions of this ordinance.\*

§ 33. It shall be the duty, especially of all day and other police officers and Mayor's marshals, to daily report all violations of the laws and regulations appertaining to stages or accommodation coaches, to the Attorney of the Corporation.

#### ARTICLE V.

##### *Of the Superintendence of Stages.*

§ 34. It shall be the duty of the person or officer exercising the duties of Superintendent of Stages, to visit the stands designated in this chapter, and such other places as may, by law, be designated as stands for stages. He shall have full power and authority to order away from the stands, any coach or stage not provided with proper and sufficient horses or harness; or if the horses attached

---

\* Ord. Dec. 11, 1844.

thereto are unruly; or if the driver or person having charge thereof is intoxicated, or in any manner misbehaves himself.\*

§ 35. If any person or persons having charge of any such stage or coach, shall refuse or neglect to obey such order of the said person or officer, he or they shall forfeit and pay, for every such offence, the sum of five dollars, to be recovered from the owner or driver thereof, severally and respectively.

§ 36. It shall be the duty of the said person or officer, to see that all the laws regulating accommodation stages and coaches, are in every respect complied with; and it is particularly enjoined upon the said person or officer, that he report all offenders thereof to the Attorney of the Corporation.

§ 37. The said person or officer, under the direction of the Mayor of the city of New York, shall determine the number of coaches or stages for any particular stand; and he shall also designate the proper boundaries and limits of every stand.†

#### ARTICLE VI.

##### *General Provisions.*

§ 38. All the provisions and penalties of this chapter, except those requiring lamps, shall apply to sleighs which shall come upon and use the stands designated for them, and to the owner or owners, or drivers thereof; and shall also apply, in all respects, to sleighs which shall be driven

\* Ord. May 8, 1839.

† Ord. 1839, p. 319.

and used for the conveyance of passengers, in the city of New York, for hire or wages.\*

§ 39. Every owner, driver or person having charge of any accommodation coach or stage, shall, upon being requested so to do, give to any person or persons the number of his coach or stage, the name of the owner thereof, and his place of abode; and in default thereof, shall forfeit and pay the sum of ten dollars, to be sued for and recovered from the owner or driver of any such coach or stage, severally and respectively.\*

---

\* Ord. May 8, 1839.

REVISER'S NOTE.—By an act of the legislature, passed April 4, 1854, it was provided that incorporated stage companies might be organized.

The following is a summary of the powers of such companies, so far as they affect the rights of the city corporation in the regulation of stages and stage routes :

The routes shall be approved by the Mayor and a majority of the Common Council, before being established.

The routes may be changed with the consent of two-thirds of the Common Council, approved by the Mayor, (but, if without consent of the company, and without fault on their part, they are entitled to compensation for damages.)

The consent of the Mayor seems, however, not necessary, when two-thirds of the company vote to change their routes, and the Common Council consent thereto.

Routes in existence at the time of the passage of the law, are to be deemed to have the necessary approval and consent of the Common Council.



The Corporation are entitled to license fees, at the rates existing at the passage of the act.

The Common Council may make such regulations as to the running of the stages, as are necessary for the convenient use of the streets.

It shall not be lawful to run stages except in conformity with the act.

*By an act passed April 13th, 1857*, it was enacted that no authority to run stages should thereafter be granted by the Common Council, unless a majority of property owners on the streets on which they are to run, consent thereto. It was further provided by the same act, that such stage routes to be subsequently granted, should be disposed of at public auction. This law, however, provided, that existing provisions of law relating to the city franchises should not be impaired.

*By an act of April 13th, 1853*, the Chief of Police was made the Superintendent of Stages; and by the Metropolitan Police Act, his duties were transferred to the General Superintendent of Police.

In examining these laws, with a view to adapt the ordinances to their provisions, the reviser found that very little alteration is necessary.

In the first section, the authority of the Mayor to issue licenses to "so many persons as he shall think proper," as keepers of stages, is altered by substituting the words "in accordance with the provisions of the Laws of the State of New York."

There are no other alterations except in respect to the Superintendent of Stages.

## CHAPTER

## OF HACKNEY COACHES AND CABS.

ARTICLE I—*Of Licensing Owners of Hackney Coaches.*

II—*Of Licensing Drivers of Hackney Coaches.*

III—*Of the Rates and Prices of Fares.*

IV—*Of the Regulating and Numbering of Hacks.*

V—*Of the Places at which Hacks may stand for Hire.*

VI—*Of Special Hackney Coaches or Carriages.*

VII—*Of the Superintendence of Hackney Coaches and Carriages.*

VIII—*Of Cabs.*

## ARTICLE I.

*Of Licensing Owners of Hackney Coaches.*

§ 1. The Mayor of the city of New York, for the time being, shall, from time to time, issue licenses under his hand and seal, to so many and such persons as he shall think proper, to keep hackney coaches and carriages for hire in the said city, and to revoke all or any of the said licenses.\*

§ 2. No person who is not a citizen of the United States a resident of this city for the last six months, of the age of twenty-one years and upward, and the owner of two good horses, and a sufficient hackney coach or carriage, shall be licensed as aforesaid.\*

---

\* Ord. 1839, p. 300.

§ 3. The Mayor of the said city may administer to any person applying for a license, an oath or affirmation, and shall examine such person orally, touching his said application and qualifications to receive said license.\*

§ 4. All licenses to the owners of hackney coaches and carriages, shall expire on the first Monday of June, next after the date thereof.\*

§ 5. If the owner of any hackney coach, who may have received a license, shall sell or dispose of such coach before the expiration of such license, such licensed owner shall, within ten days after such sale, report the same to the person exercising the duties of Superintendent of Hackney Coaches, who shall be authorized with the consent of the Mayor, to transfer such license to the purchaser of such hackney coach, on the payment of one dollar; and every owner of a hackney coach who shall neglect to report any such sale to the said person, shall forfeit and pay the sum of five dollars.†

§ 6. No licensed person shall be entitled to have his license renewed, unless he shall make it satisfactorily appear on oath, as aforesaid, that he still owns two good horses, and a sufficient and proper hackney coach, as aforesaid.

§ 7. Every license shall state the number of the carriage for which the same is granted.†

§ 8. Every person who may be licensed as aforesaid, shall pay the Mayor, for the use of the city, for each hack-

---

\* Ord. of 1839, p. 300.

† Ilil. pp. 300, 301.



ney coach or carriage, which such person shall keep for hire, the sum of five dollars.\*

§ 9. Every person who shall keep or drive any hackney coach or carriage, for hire, in the city of New York, without being first licensed as aforesaid, shall be liable to the penalty of twenty-five dollars for every such offence.\*

#### ARTICLE II.

##### *Of Licensing Drivers of Hackney Coaches.*

§ 10. The Mayor of the city of New York shall have full power and authority, from time to time, to issue licenses, under his hand and seal, to so many and such persons as he may think proper, to drive hackney coaches and carriages, and at pleasure, to revoke all or any of the said licenses.†

§ 11. All licenses to drivers of hackney coaches or carriages, shall expire on the first Monday in June next after the date thereof.\*

§ 12. Every driver of a hackney coach or carriage shall, on receiving [his license, pay to the Mayor of the city of New York, for the use of the said city, the sum of one dollar.‡

No person shall drive any hackney coach or carriage, without being at the time licensed as aforesaid, under the penalty of five dollars for each offence.‡

§ 13. No owner of any hackney coach, carriage or cab, shall suffer or permit any person to drive such hackney coach, carriage or cab, who is not licensed as aforesaid;

---

\* Ord. 1839, pp. 300, 301.

† Ibid., p. 301, 302.

‡ Ibid, p. 302.

nor shall the owner permit any driver who has received any license as aforesaid, to drive any coach, carriage or cab, other than the number for which he is licensed, under the penalty of ten dollars for every such offence.\*

§ 14. Any driver who shall be thrice convicted of a breach of any of the sections of this article, shall be deprived of his license, and forever debarred of a license under this ordinance.†

#### ARTICLE III,

##### *Of the Rates and Prices of Fares.*

§ 15. The prices or rates of fare to be taken by or paid to the owners or drivers of hackney coaches or carriages, shall be as follows, to wit:

1. For conveying a passenger any distance not exceeding one mile, fifty cents; for conveying two passengers the same distance, seventy-five cents, or thirty-seven and a half cents each; and for every additional passenger, thirty-seven and a half cents.
2. For conveying a passenger any distance exceeding a mile, and within two miles, seventy-five cents; and for every additional passenger, thirty-seven and a half cents.
3. For conveying a passenger to the new Alms-house and returning, one dollar; and for every additional passenger, and returning, fifty cents.
4. For conveying one passenger to Fortieth street and remaining half an hour, and returning, one dollar and a half; and for every additional passenger, fifty cents.

---

\* Ord. May 10, 1845.

† Ord. 1839, p. 302.

5. For conveying one passenger to Sixty-first street, and remaining three-quarters of an hour, and returning, two dollars; and for every additional passenger, fifty cents.
6. For conveying one passenger to Eighty-sixth street, and remaining one hour and returning, two dollars and a half; and for every additional passenger seventy-five cents.
7. For conveying one or more passengers to Harlem, and returning, with the privilege of remaining three hours, five dollars; or to the High Bridge, five dollars, with the same privilege.
8. For conveying one or more passengers to Kingsbridge and returning, with the privilege of keeping the carriage all day, five dollars.
9. For the use of a hackney coach or carriage by the day, with one or more passengers, five dollars.
10. For the use of a hackney coach or carriage by the hour, with one or more passengers, with the privilege of going from place to place, and stopping as often as may be required, one dollar an hour.
11. In all cases where the hiring of a hackney coach or carriage is not, at the time thereof, specified to be by the day or hour, it shall be deemed to be by the mile.
12. For children between two and fourteen years of age, half price is only to be charged; and for children under two years of age, no charge is to be made.
13. Whenever a hackney coach or carriage shall be detained, excepting as aforesaid, the owner or driver



shall be allowed after the rate of seventy-five cents an hour.\*

14. For attending a funeral within the lamp and watch district, two dollars; and to the Potter's Field, three dollars; which charges shall include for the necessary detention and returning with passengers.†

15. Every driver or owner of a hackney coach, carriage or cab, shall carry, transport and convey, in and upon his coach, carriage or cab, in addition to the person or persons therein, one trunk, valise, saddle-bag, carpet-bag, portmanteau or box, if he be requested so to do, for each passenger, without charge or compensation therefor; but for every trunk or such articles as above-named, more than one for each passenger, he shall be entitled to demand and receive the sum of six cents.‡

§ 16. In case of disagreement as to distance or price, the same shall be determined by the Mayor.†

§ 17. The owner of any hackney coach or carriage shall not demand or receive any pay for the conveyance of any passenger, unless the number of the carriage, and the rates and prices of fare shall be fixed and placed in the manner hereinafter directed by section 24 of this chapter, at the time such passenger may be conveyed in such carriage.‡

§ 18. The owner or driver of any hackney coach or carriage shall not be entitled to recover or receive any pay from any person from whom he shall have demanded any greater price or rates than he may be authorized to receive as aforesaid.‡

---

\* Ord. April 21, 1853.

† Ord. May 10, 1845.

‡ Ord. 1839, p. 304.

§ 19. Upon the trial of any cause commenced for the recovery of any of the aforesaid prices or rates, it shall be incumbent upon the plaintiff or plaintiffs in such action to prove that the number and prices or rates were placed and fixed in pursuance of the provisions of this ordinance, at the time the services were rendered, for which the suit may be brought.\*

§ 20. No owner or driver of any hackney coach or carriage in the city of New York, shall ask, demand or receive any larger sum than he or they may be entitled to receive as aforesaid, under the penalty of ten dollars for every such offence, to be sued for and recovered from the owner or owners, or driver of any such hackney coach or carriage, severally and respectively.\*

#### ARTICLE IV.

##### *Of the Regulating and Numbering of Hacks.*

§ 21. Every hackney coach or carriage which shall resort to or come upon any of the stands hereinafter designated, or which shall be found waiting for hire at a place other than the house or stable of the owner thereof, shall be marked and numbered in the manner following, that is to say: The number of the license of the owner thereof shall be fixed in plain legible brass figures of at least two inches in length and a quarter of an inch thick on each side of the rocker, immediately under the doors of the carriage, on the outside thereof, and such conspicuous place on the inside of the carriage as shall be designated and approved by the Mayor.\*

§ 22. Every hackney coach or carriage, when driven

---

\* Ord. 1839, p. 305.

or used in the night, shall have fixed upon some conspicuous part of the outside thereof, two lighted lamps with plain glass fronts and sides, and having the number of the license of the owner of such hackney coach or carriage in plain legible figures, at least two inches in length, and no other figure or device, painted with black paint upon each of the said lamps, in such a manner that the same may be distinctly seen and known, when the said hackney coach or carriage may be standing or driving.\*

§ 23. Any person or persons who shall keep or drive such hackney coach or carriage, in violation of any or either of the preceding provisions of this title, shall forfeit and pay for every such offence, the sum of ten dollars, to be sued for and recovered from the owner or driver thereof, severally and respectively.\*

§ 24. There shall be fixed in every hackney coach or carriage, in such a manner as can be conveniently read by any person in the same, a card containing the name of the owner of said carriage, the number of his license, and the whole of the third article printed in plain legible characters.

§ 25. Every driver or owner of such hackney coach or carriage shall, when required so to do by any passenger in such hackney coach or carriage, exhibit to such passenger a card in every respect similar to the one above-mentioned and described in the preceding section.

§ 26. Any person who shall violate any or either of the provisions of this article, shall forfeit and pay for every

---

\* Ord. of May, 1840.



such offence the sum of ten dollars, to be sued for and recovered from the owner or driver of such hackney coach or carriage, severally and respectively.\*

§ 27. No owner or driver of any hackney coach, carriage, or cab, whilst on any of the stands, or any stand which may hereafter be made, or at any steamboat landing, or other landing, or whilst waiting for employment at any place other than at the stable or residence of the owner thereof, shall refuse or neglect to convey any person or persons to any place or places on the island of New York on his being applied to for that purpose; and on the person or persons being placed in such coach, carriage or cab, shall immediately carry him, her, or them, (as the case may be,) to such place as he, she or they may request; nor shall the owner or driver place any other person or persons in such coach, carriage or cab, without the consent of the person or persons therein, or who first engaged or called upon him, under the penalty of ten dollars for each and every refusal, neglect, or offence, to be sued for and recovered from the owner or driver of any such hackney coach, carriage or cab, severally and respectively.†

§ 28. No person, whether owner or driver of any hackney coach, carriage or cab, or accommodation stage coach, while waiting for employment at either of the public stands, or at any stand that may hereafter be made, or at any steamboat landing, or other landing, shall snap or flourish his whip, or leave such coach, carriage or cab, or accommodation stage coach, and go on board of any steamboat or other vessel, or on any pier or wharf, for the

---

\* Ord. of 1839, pp. 305, 306.

† Ord. May 10, 1845.

purpose of looking for employment for such coach, carriage or cab, or accommodation stage coach, under the penalty of ten dollars for each and every offence, to be sued for and recovered from the owner or driver thereof, severally and respectively.\*

§ 29. All the provisions and penalties of this chapter, except those requiring lamps, shall apply to the sleighs which shall come upon and use the stands hereinbefore designated, and to the owner or owners, or drivers thereof; and shall also apply, in all respects, to sleighs which shall be driven and used for the conveyance of passengers in the city of New York, for hire or wages.†

§ 30. Every owner, driver or person having charge of any hackney coach or carriage, shall, upon being requested to do so, give to any person or persons the number of his coach, the name of the owner thereof, and his place of abode; the name of the driver thereof, and his place of abode; and in default thereof, shall forfeit and pay the sum of ten dollars, to be sued for and recovered from the owner or driver of such coach, severally and respectively.‡

§ 31. No person shall solicit or request, nor shall the licensed owner or driver of any hackney coach, carriage or cab, or accommodation stage coach, solicit or request hire, employ, suffer or permit any person to solicit or request in any way, directly or indirectly, any person or persons in the public streets, or at any place of public amusement, or on board of any steamboat or other vessel, or at any steamboat landing or other landing, or upon any

---

\* Ord. May 10, 1845.

† Ord. 1839, pp. 306, 307.

‡ Ibid, 307.

wharf or pier in the city of New York, to ride in, or hire, or engage, or employ any hackney coach, carriage or cab, or stage coach, under the penalty of ten dollars for each and every offence, to be sued for and recovered from such person, owner or driver, any or either of them, severally and respectively.\*

#### ARTICLE V.

##### *Of Places at which Hacks may stand for Hire.*

§ 32. Hackney coaches and carriages may stand waiting for employment, at all times, Sundays excepted, at the stands herein-named, that is to say:

1. On the northerly side of Chatham street, along the Park.
2. In Broadway, around the Bowling Green.
3. In Barclay street, west of Washington street.
4. In Pearl street, at Hanover square.
5. In Maiden lane, southeast of Water street.
6. In Murray street, between Washington street and West street.
7. In Hudson street, along St. John's Park.
8. In Beekman street, southeast of Water street.
9. In Hudson street, near the Little Park.
10. In Reade street, west of Washington street.
11. In Canal street, west of Washington street.
12. In Chatham square.
13. In Grand street, southeast of Mangin street.

---

\* Ord. of May 10, 1845,



14. In Catharine street, southeast of Cherry street, after market hours.

15. On the northerly side of Canal street, east of Broadway.\*

§ 33. The Mayor of the city of New York, with the advice and consent of the Alderman and Councilman of each district, may, from time to time, designate such other place or places in each ward, as they shall deem proper, at which hackney coaches and carriages may stand waiting for employment.†

§ 34. The owner or driver of any hackney coach or carriage, which shall stand waiting for employment at any other time or place than herein are designated or may be designated as aforesaid, shall forfeit and pay for every such offence, the sum of ten dollars, to be recovered from the owner or driver thereof, severally and respectively.†

§ 35. The Mayor of the city of New York, by and with the consent of the Aldermen and Councilmen of the several districts, shall have full power and authority to make such rules and regulations, and give such orders respecting the standing of hackney coaches and carriages at and near the theatres and other places of amusement, at night, and at and near steamboats and other vessels at all times, and at and upon the stands designated and specified for such coaches, as may be necessary to preserve order and decorum.†

§ 36. Every owner or driver of any such hackney coach

---

\* Ordinance of 1839, pp. 307, 308.

† Ibid, p. 308.

or carriage, who shall neglect to obey any of the said rules, regulations or orders, shall forfeit and pay for every such offence, the sum of five dollars, to be recovered from the owner or driver of any such coach or carriage, severally and respectively.\*

§ 37. No owner or driver of any hackney coach, carriage, cab or stage coach, shall drive, or lead his hackney coach, carriage, cab or stage coach, up or down any street, avenue, dock, wharf or pier, on the Lord's Day, commonly called Sunday, for the purpose of looking for employment, under the penalty of ten dollars, for each and every offence, to be sued for and recovered from the owner or driver of such coach, carriage, cab or stage coach, each severally and respectively.†

§ 38. Any penalty recovered under the provisions of this title, shall be paid to the Comptroller of the city for the use thereof.

#### ARTICLE VI.

##### *Of Special Hackney Coaches or Carriages.*

§ 39. The proprietor of any hackney coach or carriage, who does not intend to come upon and use the public stands with such hackney coach or carriage, shall, at the time of applying for a license for the same, state, in writing, to the Mayor, such intention; and, thereupon, a special license may be granted, in the discretion of the Mayor, to such proprietor.‡

§ 40. For every such special license granted by virtue of the provisions of this article, shall be paid the sum of five dollars.‡

\* Ordinance of 1839, p. 308

† Ord. May 10, 1845.

‡ Ord. of June 17, 1844.

§ 41. Every such license shall expire on the first Monday of June next after the date thereof, and may be renewed on application for such purpose.\*

§ 42. No hackney coach or carriage, which shall be specially licensed, by virtue of the provisions of this article, shall make use of, or come upon, or stand, or wait for employment at any of the public stands, or at any other place in the city of New York, except upon the premises of the owner thereof, under a penalty of ten dollars for every such offence, to be recovered from the owner or driver thereof severally and respectively.

§ 43. The person or officer exercising the duties of the office of Superintendent of Hacks, shall, at all reasonable times, have free access to such hackney coaches and carriages, within the premises of their several proprietors, as shall be necessary to the performance of his duties, under a penalty of ten dollars upon each and every person who shall obstruct, disturb, or molest the said person or officer, whilst in the discharge of his duties as aforesaid.

§ 44. The several provisions and penalties of article one, and of sections 12, 13 and 14, in article 2 of this chapter, shall, in all and every respect, apply to hackney coaches and carriages, which may be licensed, by virtue of the provisions of this article, and the owners and drivers thereof, severally and respectively.

---

\* Ord. 1839, p. 309.



## ARTICLE VII.

*Of the Superintendence of Hackney Coaches and Carriages.\**

§ 45. It shall be the duty of the person or officer exercising the duties appertaining to the office of Superintendent of Hacks, to visit the public stands, and all places where hackney coaches and carriages are permitted to stand; he shall have power and authority to order away from the stands, and from all other places, any hackney coach or carriage not provided with a number, or with lamps fixed up, lighted and numbered as hereinbefore required; or not furnished with proper and suitable harness and horses; or, if the same, in his opinion, shall be improperly obstructing the way or street; or if the horses attached thereto are unruly; or if the driver or person having charge of any such hackney coach or carriage is intoxicated, or in any manner misbehaves himself.†

§ 46. If any person having charge of any such hackney coach or carriage, shall refuse or neglect to obey any such order of the said person or officer, he or they shall forfeit and pay for every such offence the sum of ten dollars, to be recovered from the owners or driver of every such hackney coach or carriage, severally and respectively.†

§ 47. It shall be the duty of the said person or officer, to see that all the laws regulating hackney coaches and carriages, are, in every respect, complied with; and it is particularly enjoined upon the said person or officer, that he report all offenders thereof to the Attorney of the Corporation.†

---

\* Ord. 1839, p. 309.

† Ibid., p. 310.

§ 48. The said person or officer, under the direction of the Mayor, shall determine the number of coaches or carriages for any particular stand; and he shall also designate the coaches or carriages which shall wait for employment at any particular stand; and also, the proper boundaries and limits of every stand.\*

ARTICLE VIII.

*Of Cabs.*

§ 49. The several ordinances heretofore passed regulating cabs as distinct and separate from hackney coaches, shall be, and the same are, by effect hereof, at that time repealed. And all cabs shall hereafter be regulated, numbered, licensed, and, in all respects, governed by the ordinances relative to hackney coaches, provided, however, that the fee for license of a cab drawn by one horse only shall be no more than three dollars.†

---

\* Ord. of 1839, pp. 310 311.

† Ord. July 21, 1847.

REVISERS'S NOTE.—The only alterations in this ordinance arise from two acts of the legislature, one of April 13th, 1853, by which it was enacted that the Chief of Police should be the Superintendent of Hacks, and the other the Metropolitan Police Act, which transfers all the powers, &c., of the Chief of Police to the General Superintendent of Police.

The office of Superintendent of Hacks is not abolished by these laws, and as the duties are understood to be performed by officers subordinate to the General Superintendent, it is thought advisable to insert in the ordinance "the person exercising the duties of the Superintendent of Hacks," as this meets the requirements of the law, and seems preferable to assigning the duties specifically to the "General Superintendent of Police."



## CHAPTER

OF PAWNBROKERS, DEALERS IN SECOND HAND ARTICLES AND  
KEEPERS OF JUNK SHOPS.ARTICLE 1.—*Pawnbrokers.*2.—*Dealers in Second hand Articles.*3.—*Keepers of Junk Shops.*4.—*General Provisions.*

## ARTICLE I,

*Of Pawnbrokers.*

§ 1. The Mayor may, from time to time, grant licenses under his hand and seal, to such persons as shall produce to him satisfactory evidence of their good character, to exercise or carry on the business of a pawnbroker.\*

§ 2. Every person receiving such license, shall pay therefor the sum of fifty dollars, for the use of the city.\*

§ 3. Every person so licensed, shall, at the time of receiving such license, enter, with two sufficient sureties, into a joint and several recognizance, to the Mayor, Aldermen and Commonalty of the city of New York, in the penalty of five hundred dollars, conditioned for the due observance of all such ordinances of the Common Council, as may be passed or in force respecting pawnbrokers, at any time during the continuance of such license.†

§ 4. Every pawnbroker shall keep a book, in which shall be fairly written, at the time of each loan, an accu-

---

\* Ord. of 1839, pp. 335, 336.

† Ibid. p. 336.

rate account and description of the goods, article or thing pawned, the amount of money loaned thereon, the time of pledging the same, the rate of interest to be paid on such loan, and the name and residence of the person pawning or pledging the said goods, article or thing.\*

§ 5. Every pawnbroker shall, at the time of each loan, deliver to the person pawning or pledging any goods, article or thing, a memorandum or note, signed by him or her, containing the substance of the entry required to be made in his or her book, by the last preceding section; and no charge shall be made or received by any pawnbroker, for any such entry, memorandum or note.†

§ 6. The said book shall, at all reasonable times, be opened to the inspection of the Mayor, Recorder, Aldermen, Councilmen, and special justices for preserving the peace of the city of New York, or any or either of them; or of any person who shall be duly authorized in writing, for that purpose, by any or either of them, and who shall exhibit such written authority to such pawnbroker.†

§ 7. Every pawnbroker who shall violate or neglect, or refuse to comply with any or either of the provisions of the 4th, 5th, or 6th sections of this article, shall, for every such offence, forfeit and pay the sum of twenty-five dollars.†

§ 8. No pawnbroker shall ask, demand, or receive any greater rate of interest than twenty-five per cent. per annum, upon any loan not exceeding the sum of twenty-five dollars; or than seven per cent. per annum upon any loan exceeding the sum of twenty-five dollars, under the penalty of one hundred dollars for every such offence.†

\* Ord. 1839, pp. 336, 337.

† *Ibid.*, p. 337.

§ 9. No pawnbroker shall sell any pawn or pledge, until the same shall have remained one year in his or her possession; and all such sales shall be at public auction, and not otherwise; and shall be made or conducted by such auctioneer as shall be approved of for that purpose, by the Mayor of the city of New York.\*

§ 10. Notice of every such sale shall be published for at least twelve days previous thereto, in one or more of the daily newspapers printed in the city of New York; and such notice shall specify the time and place at which such sale is to take place, the name of the auctioneer by whom the same is to be conducted, and a description of the goods or articles to be sold.†

§ 11. The surplus money, if any, arising from any such sale, after deducting the amount of the loan, the interest then due on the same, and the expenses of the advertisement and sale, shall be paid over by the pawnbroker to the person who would be entitled to redeem the pledge in case no such sale had taken place.‡

§ 12. No pawnbroker shall make any loan on the separate or divided part or parts of any one article or thing, and which article or thing shall have been offered entire or collectively, to him or her, by way of pawn or pledge.‡

§ 13. No pawnbroker, shall, under any pretence whatever, purchase or buy any second hand furniture, metals or clothes, or any other article or thing whatever, offered to him or her as a pawn or pledge.‡

§ 14. Every pawnbroker who shall violate or neglect,

---

\* Ord. of 1839, p. 337.

† Ibid., pp. 337, 338.

‡ Ibid., p. 338.



or refuse to comply with any or either of the provisions of the 8th, 9th, 10th, 11th, 12th and 13th sections of this chapter, shall, for every such offence, forfeit and pay the sum of one hundred dollars.\*

## ARTICLE II.

### *Of Dealers in Second hand Articles.*

§ 15. The Mayor may, from time to time, grant licenses under his hand and seal, to such persons as shall produce to him satisfactory evidence of good character, to exercise or carry on the business of dealing in the purchase and sale of second hand furniture, metal, clothes, or other articles in the said city.†

§ 16. Every person receiving such license, shall pay therefor the sum of twenty-five dollars, for the use of the city.†

§ 17. Every person so licensed shall, at the time of receiving such license, enter, with two sufficient sureties, into a joint and several recognizance, to the Mayor, Aldermen and Commonalty of the city of New York, in the penalty of five hundred dollars, conditioned for the due observance of all such ordinances of the Common Council as may be in force or passed, respecting dealers in second hand articles, at any time during the continuance of such license.†

§ 18. Every such dealer shall keep a book, in which shall be fairly written, at the time of the purchase of any article or thing, in the way of his or her business, an ac-

---

\* Ord. of 1839, p. 338.

† Ord. May 31, 1852.

curate account and description of the article or thing so purchased, the price paid therefor, the precise time of making such purchase, and the name and residence of the person from whom such purchase was made.\*

§ 19. The said book shall, at all reasonable times, be open to the inspection of the Mayor, Recorder, Aldermen, Councilmen, Police Justices and Superintendent of Police, of the city of New York, or any or either of them, or of any person who shall be duly authorized, in writing, for that purpose, by any or either of them, and who shall exhibit such written authority to such dealer.\*

§ 20. Every such dealer who shall violate or neglect, or refuse to comply with, any or either of the provisions of the 18th and 19th sections of this chapter, shall, for every such offence, forfeit and pay the sum of twenty-five dollars.\*

§ 21. No article or thing, except wooden furniture, which shall have been purchased by any such dealer in the way of his or her business, shall be sold or disposed of by such dealer until the expiration of one month after such purchase.\*

§ 22. No such dealer shall receive any article by way of pledge or pawn, or shall purchase or buy, at private sale, of any one person, in one day, any article or articles exceeding in value the sum of fifty dollars.\*

§ 23. Every such dealer who shall violate or neglect or refuse to comply with any or either of the provisions of the 22d or 23d sections of this chapter, shall, for every

---

\* Ord. May 31, 1852.

such offence, forfeit and pay the sum of one hundred dollars.\*

§ 24. Nothing contained in this article shall be so construed as to apply to dealers in second hand furniture, who make purchases thereof exclusively at auction sales; and all persons who purchase second hand furniture exclusively at auction, shall be permitted to sell the same, without taking out such license as is required by the 15th section of this chapter.†

#### ARTICLE III.

##### *Of Keepers of Junk Shops.*

§ 25. The Mayor may, from time to time, grant licenses to such persons as shall procure the recommendation for that purpose, of the Police Justices, or General Superintendent of Police of the city of New York, to keep what are commonly called junk shops, for the purchase and sale of junk, old rope, old iron, brass, copper, tin and lead, rags, slush and empty bottles.\*

§ 26. Every person receiving such license, shall pay therefor the sum of twenty dollars, for the use of the poor of the city.\*

§ 27. Every person so licensed, shall, at the time of receiving such license, enter with one sufficient surety, into a joint and several recognizance to the Mayor, Aldermen and Commonalty of the city of New York, in the penal sum of two hundred and fifty dollars, conditioned for the due observance of such ordinances of the Common Council, as may be passed or in force, respecting the keep-

---

\* Ordinance May 31, 1852.

† Ord. of 1839, p. 340.



ing of junk shops, at any time during the continuance of such license.\*

§ 28. No keeper of a junk shop shall buy or sell any coin of any description, or any article of gold or silver, or any wearing apparel; or any article of household furniture, or any implement, tool or utensil, in a sound, unbroken or undamaged condition; nor shall such keeper receive, in the line of his business, any article or thing by way of pledge or pawn; nor shall he or she loan or advance any sum of money on the security of any such article or thing.\*

§ 29. Every keeper of a junk shop shall provide and keep a book, in which shall be fairly written, at the time of every purchase, a description of the article so purchased, the name and residence of the person from whom such purchase was made, and the day and hour of such purchase.\*

§ 30. Every such book shall, at all times, be open to the inspection of the Mayor, Aldermen, Councilmen and Police Justices, and Superintendent of Police of the city of New York, and each of them, or to any person who may be authorized for the purpose, in writing, by either of them, such person exhibiting to the said keeper his authority as aforesaid.\*

§ 31. Every such keeper of a junk shop, who shall violate or neglect, or refuse to comply with the foregoing provisions, or either of them, shall, for every such offence, forfeit and pay the sum of fifty dollars.\*

---

\* Ord. May 31, 1852.

## ARTICLE IV.

*General Provisions.*

§ 32. Every license to be granted to any dealer in second-hand articles, or keeper of a junk shop, shall designate the house or place in which the person receiving such license shall be authorized to carry on such business.\*

§ 33. Every such license shall continue in force until the second Monday in May, next following the granting thereof, unless sooner revoked by the Mayor, and no longer.\*

§ 34. On the renewal of every such license, the person receiving the same shall pay the same sum therefor, as is required to be paid on granting such license in the first instance.\*

§ 35. No person shall use, exercise or carry on the trade or business of a dealer in second-hand articles, or of a keeper of a junk shop, without being specially licensed for such purpose as aforesaid, or shall carry on any such business at any other house or place than the one designated in such license, or shall continue to carry on such business after such license may have been revoked, under the penalty of fifty dollars for every such offence,\*

§ 36. No dealer in second-hand articles, or keeper of a junk shop, shall purchase any goods, article or thing whatsoever, from any minor, apprentice or servant, knowing, or having reason to believe him or her to be such, under the penalty of twenty-five dollars for every such offence.\*

---

\* Ord. May 31, 1852.

§ 37. No dealer in second-hand articles, or keeper of a junk shop, shall receive or purchase, in the way of his or her business, any goods, articles or thing whatsoever, from any person or persons whomsoever, between the setting of the sun and the hour of seven o'clock in the morning, under the penalty of twenty-five dollars for every such offence.\*

§ 38. No dealer in second-hand articles shall deface, mutilate, take apart, or, in any way, alter, or permit to be defaced, mutilated, taken apart, or in any way altered, any article or thing which shall come into his or her possession, in the way of his or her business, but the same shall be sold, or offered for sale in the same form, state and condition in which it was when first received by him or her, under the penalty of one hundred dollars for every such offence.\*

§ 39. If any goods, article or thing shall be advertised in any daily newspaper printed in the city of New York, as having been lost or stolen, and if the said goods, article or thing, or any such answering to the description of the goods, article or thing so advertised, or any part or portion thereof, shall then be, or thereafter come into the possession of any dealer in second-hand articles or keeper of a junk shop, he or she shall, forthwith, give information thereof in writing, at the office of the General Superintendent of Police, and shall also state from whom the same were received under the penalty of two hundred and fifty dollars for every neglect or offence.\*

§ 40. Every dealer in second-hand articles, or keeper of

---

\* Ord. May 31, 1852.



a junk shop, who shall receive or be in possession of any goods, articles or things, which may have been lost or stolen, or alleged or supposed to have been lost or stolen, shall, forthwith, on a demand to view the same, present the same to the Mayor or Recorder, or any Alderman or Councilman, or Police Justice, Superintendent of Police, or any policeman, who may be authorized by either of the above-mentioned officers or magistrates, to make such demand, under the penalty of two hundred and fifty dollars for every neglect or refusal so to do.\*

§ 41. No dealer in second-hand articles shall, during his license as such, receive or hold a license to carry on the business of a pawnbroker or keeper of a junk-shop; and, no keeper of a junk-shop shall, during his license as such, receive or hold a license to carry on the business of a pawnbroker, or of a dealer in second-hand articles.\*

§ 42. Every license granted, or to be granted, to any dealer in second-hand articles, or keeper of a junk-shop, may be revoked by the Mayor, on satisfactory cause appearing to him for so doing.\*

§ 43. No person shall keep what is commonly called a junk shop, for the purchase and sale of junk, rags, or old rope, old iron, brass, copper, tin, empty bottles, slush or lead; and no person shall draw or drive, or procure to be drawn or driven through the streets of this city, any hand-cart, wheel-barrow, or other carts or vehicles; and no person shall propel, or procure to be propelled through the waters of the city and county of New York, any boat, or other kind of vessel, for the purpose of collecting junk,

---

\* Ord. May 31, 1852.

rags, old rope, old iron, brass copper, tin, empty bottles, slush or lead, or deal in buying or selling either of such articles, without being first licensed by the Mayor for such purposes.\*

§ 44. Every licensed keeper of a junk shop, for the purchase and sale of rags, old rope, old iron, brass, copper, empty bottles, tin, slush or lead, shall be entitled to keep one or more carts, wagons, or other vehicles; one or more boats or other vessels, for the purpose of collecting old junk, rags, old rope, old iron, brass, copper, empty bottles, tin slush or lead, in the city of New York; provided he or she shall, before using such carts, wagons, boats or other vessels, or causing the same to be used, cause to be painted on the outer side of such hand-carts, wheel-barrows, or other carts or vehicles, boats or vessels, his name, at length, the street and number of his place of business—the number of his license in plain letters and figures, put on with paint, of not less than two and a half inches in length; and no person or persons except such as are regularly licensed for the purpose aforesaid, according to the provisions of this ordinance, or persons in the employ of such licensed dealer, shall draw or drive, or procure to be drawn or driven, or propelled, any such hand-carts, wheel-barrows, carts, wagons, or other vehicles, boats, or other vessels.\*

§ 45. A separate license shall be obtained, by the owner thereof, for each and every cart, wagon, or other vehicle, boat or other vessel.\*

§ 46. Every owner of a cart, wagon, or other vehicle,

---

\* Ord. of May 31, 1852.

boat or other vessel, on receiving his or her license, shall pay for each and every cart, wagon, or other vehicle, boat or other vessel, to the Mayor of the city of New York, for the use of said city, the sum of ten dollars.\*

§ 47. In case any person so licensed as aforesaid, shall remove his or her store, or place of business, from the place designated in said license, he or she shall immediately thereupon give notice thereof to the Mayor, and have the same indorsed upon such license, and the number of his or her place of business shall thereupon be changed on the sides of the vehicle or vessel used by such licensed dealer, and made to correspond with such change of store or place of business.\*

§ 48. The Superintendent of Police, aided and assisted by such policemen as he may deem necessary, shall be the inspector of pawnbrokers, dealers in second hand articles, junk shops and intelligence offices.\*

§ 49. Whoever shall violate any of the provisions of the preceding ordinances of this chapter shall be subject to the penalties prescribed in and by said ordinances, or, in lieu thereof, shall be deemed guilty of a misdemeanor, and shall be punished, on conviction, pursuant to the provisions of sections twenty and twenty-one of an act relative to the powers of the Common Council of the city of New York, and the police and criminal courts of said city passed, by the legislature of the State of New York, January 23d, 1833.†

---

\* Ord. of May 31, 1852.

† Laws of New York, chap. 423, p. 807.

REVISER'S NOTE.—This contains no alteration from the existing ordinances.



## CHAPTER

## OF INTELLIGENCE OFFICES.

§ 1. The Mayor of the city of New York, for the time being, shall, from time to time, issue licenses, under his hand and seal, to so many and such persons as he shall think proper, to keep intelligence offices in the said city, and shall have power to revoke all, or any of the said licences at pleasure.\*

§ 2. Each license shall designate the house in which the person licensed shall keep his office, and the number of such license, and shall continue and be in force until the first Tuesday of May next ensuing the date thereof, and no longer, unless sooner revoked by the Mayor.\*

§ 3. Every person who may be licensed under and by virtue of the provisions of this chapter, shall pay to the Mayor, for the use of the city, the sum of twenty-five dollars, and for the renewal of any such license, the sum of twelve dollars and fifty cents.\*

§ 4. No person shall keep any intelligence office in the city of New York, without having such license as aforesaid, or after the same shall have been revoked, or shall have expired, or at any other house or place than is designated in such license, under the penalty of fifty dollars for every such offence.\*

---

\* Ord. of 1839, p. 347.

REVISER'S NOTE.—There is no alteration in this chapter from existing ordinances.

## CHAPTER

## CONCERNING DOGS.

§ 1. No dog shall hereafter be permitted to go abroad in any of the streets, squares, lanes, alleys or public places of this city, without being properly muzzled, or being led by a chain or string, under the penalty of ten dollars for each offence, to be recovered against the owner, possessor or person who harbored such dog, within three days previous to the time of such dog being found so going abroad. And it shall be lawful for any person whosoever, to seize and kill any dog so running at large without being muzzled or led by a chain or string.\*

§ 2. The Mayor may, from time to time, and for such time as he shall think proper, appoint one or more suitable persons to kill and destroy all dogs found running loose or at large in the streets, roads, squares and public places of said city, unless they are properly muzzled.†

§ 3. The persons so appointed shall receive the sum of two dollars per day, for each day they shall be so employed, and shall make weekly returns to the Mayor, of the number of dogs they may severally kill.†

§ 4. No person shall hinder or molest any person or persons who may be engaged in seizing and killing any dog, or in removing the carcass thereof, under the penalty of one hundred dollars for each offence.†

---

\* Ord. of 1839, pp. 349, 350.

† Ibid., p. 350.

§ 5. The Mayor is hereby authorized, from time to time, and for such time as he may think proper, and under such regulations as he may prescribe, to pay, or cause to be paid to persons who shall not be regularly appointed to kill or destroy dogs, a sum not exceeding fifty cents for each dog found running loose or at large in the city, below Forty-second street, without being properly muzzled, and which may be killed or destroyed by them.\*

§ 6. No part of this law shall apply to so much of the city as lies north of Forty-second street, to prevent dogs running at large between sunset and sunrise.†

---

\* Res. July 12, 1848.      † Ord. of 1839, as amended by Ord. of Aug. 5, 1847.

REVISER'S NOTE.—This is without alteration from existing ordinances.



## CHAPTER

## OF NUISANCES AND NOXIOUS THINGS AND PRACTICES.

§ 1. No made ground, or ground formerly covered with salt or stagnant water, within the city of New York, shall be turned up, or the surface thereof removed, at any time between the first day of June and the first day of October, in any year, unless by special permission of the Common Council, under the penalty of one hundred dollars for each offence.\*

§ 2. No person shall have, make, use, or keep, in his or her premises, at any place in the city of New York, any noisome, offensive or unwholesome substance, or any vat, pit or pool of standing water, whether for tanners, skinners, dyers or other use, under the penalty of fifty dollars for each offence.\*

§ 3. No tanner, skinner or other person shall bring to, or keep for the period of twenty-four hours, in any part of the city of New York, south of Fourteenth street, any undressed or uncurried hides, skins or leather, or any blubber or other materials whatever, for dressing the same, which may cause any noisome, offensive or unwholesome smell, under the penalty of fifty dollars for each offence.\*

§ 4. The preceding sections, two and three, of this chapter shall not be construed to affect any vat or vats, pit or pits, in the place commonly called Beekman's Swamp,

---

\* Ord. of 1839, p. 240.

in the city of New York, which were made and erected on or before the 29th day of March, in the year of our Lord one thousand eight hundred and six.\*

§ 5. Every butcher or other person occupying any slaughter-house or building, or who shall or may kill or slaughter in any slaughter-house or building in the city of New York, any animal, shall, on every day when any animal may be so slaughtered or killed therein, cause the slaughter-house and yard thereof, to be washed out and thoroughly cleansed, under the penalty of ten dollars for each neglect or refusal to comply with this section.†

§ 6. Every butcher or other person within this city, immediately after killing or slaughtering any animal, shall convey, or cause to be conveyed, in tight covered boxes or barrels, the blood, offal, garbage and other offensive or useless parts of said animal or animals so killed or slaughtered, to such place as the Common Council, or the City Inspector shall, or may, from time to time direct, under a penalty of ten dollars for each and every neglect or refusal to comply with this section.†

§ 7. It shall be the duty of the City Inspector to see that the two preceding sections are enforced.†

§ 8. No person shall leave exposed, or cast into any street, yard, lot, lane or other place within the city of New York, the carcass of any horse, under the penalty of twenty-five dollars for each offence.‡

§ 9. No person shall cast or leave, or keep in or adjoining any street, lane, alley, avenue, square, public place,

---

\* Ord. of 1839, p. 240.

† Ord. June 12, 1856.

‡ Ord. of 1839, p. 241.

public road, or in any yard, lot, field or premises, in the city of New York, any bones, putrid, unsound, unwholesome, or refuse meat or beef of any animal, whether salted or otherwise, or any unsound pork, fish, hides or skins of any kind, or horns; or the whole or part of any dead animals, or any other unsound, putrid or unwholesome substances; or the offal, garbage or other offensive or useless parts of any beeves, calves, sheep, hogs or other cattle, under the penalty of fifty dollars for every such offence.\*

§ 10. There shall be designated and set apart, for the use of the City Inspector, two of the docks and slips of the city of New York; one on the East river, and the other on the North river; said docks and slips shall be under the sole control and direction of the City Inspector, and shall be used by him as a place of landing for such boats as may be required for the removal of the butchers' blood and offals, bones, dead animals and other refuse substances from the city.†

§ 11. No ship, boat, or other vessel, shall come in or lay at or within any of said docks or slips, designated as aforesaid, unless by written permission of the City Inspector, under the penalty of twenty-five dollars for each offence, to be paid by the owner, master, or person having charge thereof, severally and respectively.†

§ 12. The City Inspector may give such order or direction as he may deem proper, directing the laying, fastening or berth of any boat or vessel lying at or within said docks and slips, and may direct the same to be removed, from time to time, as he may deem just and proper, and

---

\* Ord. of 1859, p. 241.

† Ord. of April 17, 1852.



for every neglect or refusal to comply with such order or direction, the owner, master, or person having charge of such boat or other vessel, shall forfeit and pay the sum of twenty-five dollars.\*

§ 13. The contractor or contractors for removing the aforesaid dead animals, bones and other refuse substances, shall furnish, from time to time, a suitable number of carts, to be licensed, under the hand and seal of the City Inspector, for the purpose of transporting and removing said dead animals, bones and other refuse substances in said city; and no person shall transport or remove any dead animals, bones or refuse substances in said city, unless licensed as aforesaid, under the penalty of twenty-five dollars for each offence, to be recovered from the person or persons so removing, or the owner or owners of the vehicle used for that purpose, severally and respectively.\*

§ 14. No dead animal shall be cast or thrown into East or North rivers, or any water within the limits of the said city, but shall be removed by the person licensed as aforesaid for that purpose, to the docks and slips of the City Inspector, under the penalty of twenty-five dollars for each offence.

§ 15. No person or persons shall throw, cast or lay any ashes, offal, vegetables, garbage, dross, cinders, shells, straw, shavings, dirt, filth, or rubbish of any kind whatever, in any street, lane, alley, or public place in the city of New York.†

§ 16. The violation of any of the provisions of the preceding section shall be, and is hereby declared to be a

---

\* Ord. of April 17, 1852.

† Ord. May 2, 1849.

misdemeanor, and shall be punishable by a fine of not less than one dollar, or more than ten dollars, or by imprisonment in the city prison, for a term of not less than one or more than five days.\*

§ 17. It shall be the duty of the Superintendent of Sanitary Inspection and Street Cleaning and the Health Wardens and Policemen of the said city to enforce the observance of this ordinance, and the punishment of any party or parties who may violate the same.\*

§ 18. It is hereby declared to be the duty of the proprietor or possessor of any foundries, forges, blacksmiths' shops, oyster stands, and other places for the sale of oysters or other shell fish, to employ carts, at their own expense, for the purpose of removing the several articles enumerated in the preceding section, which may accumulate in their respective premises.\*

§ 19. The owner or builder of any house or other building which may be erecting or repairing in the city of New York, shall cause all the rubbish, of every kind, occasioned thereby, which may accumulate in the street, or be cast into the street, and all the ground, stone, sand and clay which may be dug from the cellar or yard, or area or vault, and cast into the street, to be removed out of the said street, before sunset on each day, under the penalty of five dollars for each day's neglect, to be recovered from the owner or builder, severally and respectively.†

§ 20. If any rubbish, ground, stone, sand, clay, shavings or other substance, shall be cast into the street, and shall not be removed, as required by the last section, it

\* Ord. May 2, 1849.

† Ord. 1839, pp. 200, 201.

shall be lawful for the Superintendent of Sanitary Inspection and Street Cleaning and the Health Warden in whose round the same may be, to cause the same to be removed.\*

§ 21. In addition to the penalty imposed by 19th section, the person who has so incurred the same shall also pay to the said Superintendent of Sanitary Inspection and Street Cleaning and the Health Warden, in whose round the said rubbish or other substance may have been, for removing the same, double the usual and ordinary sum for the removal thereof, to be recovered in the name of the Mayor, Aldermen and Commonalty of the city of New York, with costs of suit, by the Attorney of the Corporation, in any court having cognizance thereof.\*

§ 22. No person shall sift or screen any lime, ashes, dirt or sand, or shake any carpet, cloth or mat, in any street in the city of New York, or shall employ or suffer or permit any person so to do, under the penalty of five dollars for every such offence.\*

§ 23. No collector of ashes or other person shall unload from any cart, wagon or other vehicle in any of the streets of the city of New York, any ashes, by dumping or starting the same in the street or on the sidewalk, under the penalty of ten dollars for each offence.\*

§ 24. No cinders or coal ashes, of any description shall be laid or cast into any street, lane or alley in this city; but shall be delivered to the ash carts provided for the purpose of receiving the same, under the penalty of three dollars for each offence;† to be paid by the occupant or

---

\* Ord. of 1839, p. 201.

† Ibid., pp. 201, 202.



occupants of the house or premises from which the same shall be cast, or the persons casting the same, severally and respectively.\*

§ 25. All ashes or cinders shall be kept for the purpose of delivering the same to the ash carts, in vessels of tin, iron or other metal, under the penalty of one dollar for each offence.†

§ 26. No person shall throw or deposit any water or other liquid, in any part of any street, alley, lane or public place, except in the side gutter thereof, under the penalty of two dollars for every such offence.†

§ 27. It shall be the duty of every person, from whose kitchen or lot any water may pass into any street, across the sidewalk, to cause the same to pass through a covered gutter under such sidewalk, and to keep such gutter at all times clear of ice and every other obstruction, so that the water shall pass freely through the same, without overflowing or running upon the surface of the sidewalk, under the penalty of ten dollars for every day that such duty may be neglected.†

§ 28. No person shall cast or throw, or suffer to run into any street, lane or alley in the city of New York, from his, her or their house, houses or premises, any stinking noxious, impure, offensive or noisome water, or any substance or thing, in a liquid or flowing state, under the penalty of twenty-five dollars for each offence.†

§ 29. No brewer, distiller, dyer, soapmaker, or other person, shall cast, or throw, or suffer the water to run

---

\* 7 Pro. C.C., pp. 121, 122.

† Ord. 1839, p. 202.

from his manufactory, shop, house or establishment, into any street, except between the hours of eight in the morning, and five o'clock in the afternoon, from the first day of December, until the first day of April, in any year, under the penalty of twenty-five dollars for each offence.\*

§ 30. The last preceding section shall not be construed to prevent the casting of water from any steam engine, at any time during the year, in the city of New York.\*

§ 31. Whenever any water shall be cast or thrown, as provided in the twenty-ninth section of this title, the person or persons so casting, or suffering the same to run from their premises, shall clear a passage for the same along the gutter, to the river or public sewer, so that the same shall not overflow the curb-stone or sidewalk, under the penalty of twenty-five dollars for each neglect.†

§ 32. No person shall convey or deposit, or cause or permit to be conveyed or deposited, into any street, sewer or drain in the city of New York, any swill or other vegetable fluid, liquid or substance, under the penalty of fifty dollars for each offence.‡

§ 33. No person shall erect any booth, or establish or fix any stand in any of the streets or public grounds in the city of New York, for the purpose of opening and exposing for sale, or selling any oysters or other shell fish, under the penalty of five dollars for each offence.‡

§ 34. No person shall erect any booth, or establish any

---

\* Ord. of 1839, p. 202.

† Ibid., pp. 202, 203.

‡ Ibid., p. 203.

stand in the streets or public grounds in the city of New York, for the purpose of exposing for sale, or selling any kind of provisions, or any goods of any description whatever, under the penalty of five dollars for each offence.\*

§ 35. No cart, wagon or other vehicle, in or upon which there shall be any box, hogshead, barrel, cask or other vessel, used or intended to be used for the purpose of containing or conveying the article commonly called swill, shall, when not in actual use, incumber or stand in any of the streets, lanes or alleys in the city of New York, under any pretence whatever, under the penalty of five dollars for each offence, to be recovered from the owner or person having charge of any such cart, wagon or other vehicle, severally and respectively.\*

§ 36. The last preceding section shall not be construed to prevent such vehicles, not exceeding four in number, from standing at or in front of the premises from which such swill is obtained, for the purpose of receiving such swill, but not elsewhere; provided the said vehicles do not stand abreast of each other. From the first day of May to the first day of November, in every year, all persons are forbid to use the Croton water for washing streets, sidewalks, steps or buildings, after 8 A.M. and from the first day of November to the first day of May following, after 9, A. M., under the penalty of five dollars for each offence.

§ 37. All carts and other vehicles, used by any person or persons, to carry or transport any swill or garbage, shall have water-tight boxes or other vessels, so as to

---

\* Ord. 1839, p. 203.



prevent the contents from leaking, spilling or scattering on the streets, under the penalty of one dollar for each and every offence, on conviction thereof, before any magistrate of the city.\*

§ 38. It shall not be lawful for any person or persons, incorporated or unincorporated, to carry on, establish, prosecute or continue, within the city of New York, the occupation, or trade, or business of bone-boiling, bone-burning, bone-grinding, horse-skinning, cow-skinning, or skinning of dead animals, or the boiling of offal; and any such establishment or establishments, or place of such business, existing within the limits aforesaid, shall be forthwith removed out of said city, and such trade, occupation or business shall be forthwith abated and discontinued; provided, that nothing herein contained shall apply to the slaughtering or dressing of animals for sale in said city.†

§ 39. Every person or corporation, violating, refusing, or failing to comply with the provisions of the thirty-eighth section of this ordinance, shall, upon conviction thereof, before any court of competent jurisdiction, be liable for every such offence, to a penalty of five hundred dollars; and every person or persons engaged or employed in any such trade, or business or occupation, prohibited by the said section of this ordinance, or violating the provisions thereof, or refusing or failing to comply with the same, shall, in addition to said penalty, be considered guilty of a misdemeanor, and on conviction shall be subject to fine or imprisonment, or both, at the discretion of the court. And it is made the especial duty of all magistrates and

---

\* Res. Aug. 9, 1849.

† Ord. Aug. 16, 1850.

police officers to cause the arrest and detention of all persons guilty of violating the provisions of this chapter of the ordinances.\*

§ 40. It shall be the duty of the City Inspector to ascertain whether any such trade or business is carried on, or continued, or established within the limits aforesaid, and to cause notice, in writing, to be served upon the person, persons or corporation carrying on or continuing such trade or business, directing every such person, persons or corporation to discontinue the said trade or business, and to cause all offensive or unwholesome materials or things appertaining to said trade or business, to be removed without the limits aforesaid, within forty-eight hours after the service thereof.†

§ 41. If the name of any such person shall be known to the said City Inspector, the same shall be inserted therein, but if any such name be unknown to said City Inspector, it shall be sufficient, after diligent inquiry for the same, to direct such notice in the following manner: "To the person, persons or incorporation concerned in the carrying on, or continuance of the business of, (specifying the same) at (specifying the place of such business) and every of them," without any other name or addition, and such notice may be served by leaving the same with any person of suitable age and discretion, upon the premises where such trade or business is so carried on, or if the same be closed, or no person be found upon the premises, upon whom the same can be served, then by posting such notice in a conspicuous place upon such premises, and in case the person or persons to whom such notice is directed

---

\* Ord. Aug. 16, 1850.

† Ord. Sept. 9, 1850.

be known to the City Inspector, the said notice may be served, by leaving the same at the place of residence of such person, with any person of suitable age and discretion.\*

§ 42. If such trade or business, so carried on and continued, shall not be discontinued by the time specified in such notice, and all offensive or unwholesome material and things appertaining thereto, removed from within the limits aforesaid, within the time aforesaid, it shall be the duty of the said City Inspector to cause the same to be done, and he shall have authority to do all things necessary, in order to shut up and discontinue such trade or business peaceably, and to remove beyond the limits aforesaid, all such offensive or unwholesome material or things.\*

§ 43. It shall be the duty of the City Inspector to prepare a statement, showing the expenses incurred in the execution of the last preceding five sections, specifying the lot or lots whereon such trade or business has been so carried on or continued, and the name or names of the proprietor or proprietors, owner or owners of the same, so far as the same may be ascertained, and such statement shall be filed in the office of the Street Commissioner, and such proceedings shall thereupon be taken for the collection of the amount of the sum so expended in carrying this ordinance into execution, as are provided or allowed by law.\*

§ 44. In all cases, when the City Inspector shall deem it advisable for the public health of said city, forth-

\* Ord. Sept. 9, 1850



with to remove any nuisance in said city, it shall be the duty of said City Inspector to cause the said nuisance forthwith to be abated or removed, at the expense of the owner or owners of any lot or premises upon which the same may exist.\*

§ 45. It shall be the duty of such City Inspector forthwith, after the removal or abatement by him of any nuisance, to prepare a statement in writing, showing the expense thereof, and specifying therein the lot or lots, or premises upon which the same existed, and the name or names of the proprietor or proprietors, owner or owners of the same, as far as the same may be ascertained, and particularly specifying the expense of the removal or abatement of such nuisance, from each separate lot; and such statement shall be filed in the office of the Street Commissioner; and such proceedings shall be thereupon taken for the collection of the amount of such expense, as are provided by law.\*

§ 46. No person shall bring into the city of New York, or have in his, or her, or their possession, in the said city, any oysters between the first day of May and the first day of September, in any year, under the penalty of five dollars for any quantity not exceeding one hundred, and the further penalty of two dollars for every additional hundred.\*

*Provisions against certain Practices.*

§ 47. No person shall expose, in any of the streets, lanes, avenues, or public places of the city of New York, any table or device of any kind whatever, upon or by

---

\* Ord. of Oct. 8, 1850.

which any game of chance or hazard can be played, or shall play at or upon any such table or device, under the penalty of twenty-five dollars for each offence.\*

§ 48. No person shall, at any time, swim or bathe in the waters of the East and North rivers, adjacent to any ferry stairs, or to the Battery in the city of New York, under the penalty of ten dollars for each offence.\*

§ 49. No person shall swim or bathe in the waters of the East and North rivers, between the hours of six o'clock in the forenoon and eight in the afternoon, at any place in the city of New York, exposed to view, lying south of Thirtieth street, under the penalty of ten dollars for each offence.†

§ 50. No person shall raise or fly any kite in any street, lane or avenue, or public place in the city of New York, to the southward of Fourteenth street, under the penalty of five dollars for each offence.†

§ 51. No person shall place or post, or cause or permit to be placed or posted in any street in the city of New York, any handbill or advertisement, giving notice of any person having or professing to have skill in the treatment or curing of any disorder or disease, or giving notice of the sale, or exposure to sale, of any nostrum or medicine, under the penalty of twenty-five dollars for every such offence.

§ 52. No dyer, or scourer, or any other person, shall wash, rinse or cleanse, or cause or procure to be washed, rinsed or cleansed, any cloth, yarn or garment, in any

---

\* Ord. of 1839, p. 262.

† Ibid, p. 263.

street in the city of New York, under the penalty of ten dollars for each offence.

§ 53. No dyer or scourer, or any other person shall place or suspend, or cause or procure to be placed or suspended, in or over any street in the city of New York, any cloth, yarn or garment, for the purpose of drying the same, under the penalty of ten dollars for each offence.

§ 54. No grocer, inn-keeper, tavern-keeper, or any other person, shall have on his, her or their premises, or shall let, hire or use for public amusement, any flying horse or horses, or whirligig, or roundabout, or other similar machinery or device, by whatever name it may be called, under the penalty of fifty dollars for each offence.

§ 55. No person shall beat any drum or other instrument, or blow any horn or other instrument, for the purpose of attracting the attention of passengers, in any street in the city of New York, to any show of beasts or birds or other things in said city, under the penalty of ten dollars for each offence.

REVISER'S NOTE.—The only alterations are in sections 17, 20 and 21, where "Superintendent of Sanitary Inspection and Street Cleaning," is substituted for "Superintendent of Streets and Street Inspection."



## CHAPTER

## OF CHARCOAL, FISH, VEGETABLE AND FRUIT WAGONS.

§ 1. No owner of, vender, or retailer of charcoal, fish, fruit or vegetables, shall affix to, or suffer, or permit to be affixed to the cart, wagon or any other vehicle, owned by or employed or used by him for the purpose of transporting, conveying in, or selling thereout, in the streets of the city of New York, charcoal, or fish, or fruit or vegetables, any bell, iron, steel or other metal bar, or any other instrument, nor shall blow upon or use, or suffer or permit to be blown upon, any horn or other instrument for the purpose of giving notice of the approach of any cart, wagon or other vehicle, in order to sell thereout charcoal, fish, fruit or vegetables, under the penalty of five dollars for each offence, to be sued for and recovered of the owner of, employer of, driver of, or person having charge of such cart, wagon or other vehicle, or of the owner of such coal, fish, fruit or vegetables, severally and respectively.\*

§ 2. The owner of, employer or driver of every cart, wagon or other vehicle, used for the purpose of selling thereout charcoal, fish, fruit or vegetables, authorized or permitted to be sold by law, shall, before the same be used for such purpose, have the same licensed by the Mayor of the city of New York, which license shall contain the number of the cart, wagon or vehicle, and the name of the

---

\* Ord. of Oct. 3, 1844.

owner, employer and driver thereof; the owner, employer or driver of each cart, wagon or other vehicle used for the purpose of selling thereout charcoal, shall, at the time such license is granted, pay to the said Mayor the sum of two dollars and fifty cents for the use of the city; and the owner, employer or driver of each cart, wagon or other vehicle, used or employed for the purpose of selling thereout, fish, fruit or vegetables authorized or permitted to be sold by law, shall, at the time such license is granted, pay to the said Mayor the sum of five dollars for the use of the city; said license shall be in force for one year, and shall be renewed at the expiration of each year, and upon the renewal thereof, such owner, employer or driver shall pay, as aforesaid, the sum of fifty cents to the Mayor, for the use of the city, as upon the original granting of the license. Each cart, wagon, or other vehicle, shall have the number of its license painted upon it in a conspicuous place, and the figures composing said number shall not be less than two and a half inches in length, and shall at all times be kept legible.\*

§ 3. The owner of, employer or driver of any cart, wagon or other vehicle, who shall employ or use the same or suffer or permit the same to be employed or used, for any of the purposes above-mentioned, without having obtained a license therefor, as is above provided, shall forfeit and pay for each day such cart, wagon or other vehicle shall be so employed or used without license, the sum of fifty cents, and the like sum for neglecting or omitting to have the number painted upon his cart, wagon or vehicle, in the manner directed by this ordinance, to be sued for

---

\* Ord. of April 8, 1847.

and recovered of the owner of, employer of, driver of, or person having charge of such cart, wagon or other vehicle, or of the owner of such coal, fish, fruit or vegetables, severally and respectively.\*

§ 4. Nothing herein contained, shall be so construed as to prevent farmers and gardeners from bringing their produce to the city, for the purpose of vending and disposing of the same from wagons or other vehicles.\*

§ 5. The Mayor is hereby authorized to grant licenses, pursuant to the provisions above set forth.

---

\* Ord. of Oct. 3, 1844.

REVISER'S NOTE.—This is without alteration from existing ordinances.



## CHAPTER

OF SWINE AND NEAT CATTLE RUNNING AT LARGE, AND  
HEREIN OF PUBLIC POUNDS.

SECTION 1. No neat cattle shall go at large in any of the streets, lanes, alleys, piers, wharves or public places in the city of New York, within the lamp and watch district, nor any swine in any part of the city of New York, under the penalty of five dollars for every such swine or animal which shall be found at large, to be paid by the owner or person having the charge, care or keeping thereof, severally and respectively.\*

§ 2. There shall be appointed proper persons, as masters of the public pounds in the city of New York, who, before entering upon the duties of their office, shall take and subscribe an oath or affirmation, well and truly to execute the duties of their office.†

§ 3. The said pound-masters shall enter into bonds, with two good and sufficient sureties, to be approved by the Comptroller, in the penal sum of five hundred dollars conditioned for the faithful performance of the duties of their office.†

§ 4. All swine or neat cattle, found at large in the city of New York, in violation of these ordinances, may be taken by any person or persons, and driven or carried to such place as may have been designated by the Common Council as a public pound; and it shall

---

\* Ord. of 1839, p. 247. Amended by resolution June 13, 1850.

† Ord. 1839, p. 247.

be the duty of the pound master, or person having charge of such public pound, to enter in a book, to be kept by him for that purpose, the names and places of abode of all persons who may bring any such swine or neat cattle to such pound, and the time of bringing the same respectively, and the said pound-master shall pay to the person bringing any such swine or neat cattle, to such pound, one dollar for each beast or animal so brought.\*

§ 5. If the owner of any such swine or neat cattle, or any other person entitled to redeem the same, shall appear and claim the same, at any time before a sale thereof, it shall be the duty of the pound-master to deliver the same on receiving the amount of his fees for keeping and feeding the same, not exceeding fifty cents for each beast for every twenty-four hours, and at that rate for any less period of time, together with such sum as he may have paid to the person who brought the said beast to the pound.†

§ 6. It shall be the duty of the pound master, on making any delivery of swine or neat cattle, before sale, or on payment of surplus money after sale, to obtain from the person or persons claiming the same, his, her or their name or names and residence; and once in each month to report to the Attorney of the Corporation, the same, and the name or names of all persons claiming swine or neat cattle, and their places of residence, the date when the same were left; when the same were sold or redeemed, and the names of the persons leaving the same at the pound.†

§ 7. If no person shall appear to claim such swine or

---

\* Ord. 1839, pp. 247, 248.

† Ibid., p. 248.

neat cattle, within five days after the same may have been impounded, it shall be the duty of the pound-master to give three days' notice of the sale thereof.\*

§ 8. Such notice shall contain some general description of the beasts impounded, and shall be posted up in some conspicuous place at said public pound, and in the City Hall of the city of New York, and shall also be inserted in two or more of the public newspapers employed by the Common Council.\*

§ 9. In case of the sale of any impounded swine or neat cattle, the said pound-master shall retain out of the proceeds of such sale, sufficient to pay the amount of his fees, and all charges incurred by him on account of said swine or neat cattle.†

§ 10. If, after any such sale, and whilst the proceeds thereof remain in the hands of the said pound-master, the former owner of any swine or neat cattle shall appear and claim the same, it shall be the duty of the said pound-master, to deduct from the proceeds of such sale, the fees and charges as provided in the last preceding section; to ascertain the name and residence of such owner, and to pay over the residue of the proceeds of such sale to the person so claiming to be the owner.†

§ 11. It shall be the duty of the said pound-master once in every month to account to the Comptroller of the city of New York, for all moneys received or expended by him, by virtue of his title, and to pay over to the said Comptroller, all such moneys remaining in his hands, after deducting his legal fees and charges.†

\* Ord. of 1839, p. 248.

† Ibid. pp. 248, 249.



§ 12. It shall be the duty of the persons exercising the duties of keepers of the Park, the Battery, and the Bowling Green, and the Washington Parade Ground, to drive to the said public pound, all swine or neat cattle found at large by them, respectively, and to report all violations of the first section of this chapter, to the Attorney of the Corporation.\*

§ 13. No person or persons shall have to keep, in the city of New York in any pen or sty, more than three swine, at any one time, between the first day of May and the last day of October, in any year, under the penalty of five dollars for every swine above the aforesaid number.†

§ 14. All swine in the said city shall be kept in pens or styres, during the period mentioned in the 13th section of this title, which shall be properly and effectually cleaned, at least once in every three days, under the penalty of five dollars for each and every violation of either of the provisions of this section.

§ 15. So much of the foregoing provisions as relate to swine, shall apply to the whole city of New York.‡

§ 16. The premises known as Nos. 81 and 83 New street, in the First Ward of the city of New York, are hereby designated as and for a public pound, and a pound-keeper is assigned therefor, without any compensation or salary to be paid by the Corporation.§

§ 17. There shall be established in the Twelfth Ward of the city of New York, two public pounds, and also one other public pound in the Nineteenth Ward of said city,

---

\* Ord. of 1839.

† Ord. of 1839, as amended by Ord. June 18, 1850.

‡ Ord. June 18, 1850.

§ Ord. May 17, 1852.

wherein shall be impounded all stray swine and cattle that shall be found at large in any of the streets, lanes, alleys, piers, wharves, or public places, or trespassing upon private grounds; and all such swine or cattle as shall be impounded shall be subject to the provisions set forth and prescribed by these ordinances.\*

§ 18. One pound shall be located as near as possible to the intersection of Kingsbridge road and One hundred and sixtieth street; and also one near the intersection of Seventh avenue and One hundred and twenty-third street.\*

§ 19. The public pound hereby authorized to be established in the Nineteenth Ward shall be located upon the grounds of the Corporation, at or near the corner of Fifth avenue and Eightieth street.\*

§ 20. The premises known as the north east corner of One hundred and fiftieth street and Tenth avenue is hereby designated as and for a public pound, and that a pound-keeper be assigned therefor, without any compensation or salary to be paid by the Corporation.†

§ 21. The premises known as the rear of lot on the north-west corner of One hundred and twenty-seventh street, and Third avenue, is hereby designated as and for a public pound, and that a pound keeper be assigned therefor, without any compensation or salary to be paid by the Corporation.‡

§ 22. The City Inspector of the city of New York is hereby empowered and directed to assume the control, direction and supervision of the public pounds, created by

---

\* Res. June 7, 1855.

† Ord. June 12, 1858.

‡ Ord. of 1858.

the two last preceding sections, and the said City Inspector is also hereby further authorized and directed to cause the enforcement of all laws of the state and ordinances of the Common Council in relation to public pounds in the said city of New York.

---

\* Ord. 1858.

REVISER'S NOTE.—This is without alteration from the present ordinances.



## CHAPTER

## OF THE INTERMENT OF THE DEAD.

§ 1. No person shall dig or open any grave, or cause or procure any grave to be dug or opened in any burying-ground, cemetery, or church-yard, or in any other part or place in the city of New York, south of Eighty-sixth street, or shall inter or deposit, or cause or procure to be interred or deposited in any such grave, or in any vault or tomb, except in private vaults and private cemeteries now existing, any dead body, within the limits aforesaid, under the penalty of two hundred and fifty dollars.\*

§ 2. No new cemetery or burying-ground shall be established in any part of the city and county of New York, after the passage of this ordinance; and no person shall dig or open any grave, or cause or procure any grave to be dug or opened, in any such new cemetery or burying-ground, or shall inter or deposit, or cause to be interred or deposited, in any such grave, or in any vault or tomb, in any new cemetery or burying-ground, as aforesaid, any dead body, under the penalty of two hundred and fifty dollars for every such offence.\*

§ 3. No person shall inter any corpse in any vault or grave in the city of New York, north of the limits mentioned in the first section of this chapter, unless such vault or grave shall be at least six feet deep, and not less than six feet below the level of the adjacent streets, under the penalty of one hundred dollars for each offence.\*

---

\* Ord. of 1839, p. 242.

§ 5. Every sexton, or person having charge of any vault or burying-ground, in the city of New York, shall, between the hours of nine and two o'clock of Saturday, in each week, make and deliver to the City Inspector, a return of the persons buried in such vault or burying-ground, during the week, according to the form following:†

*An accurate list of Interments in the burial-ground belonging to*  
*, from the* *day of*  
*, to* *.*

Date of decease.	SEX.				AGE.	PLACE OF RESIDENCE.		From what county.	Disease.	Remarks.
	MALES.		FEMALES.			Number.	Street.			
	Boys.		Girls.		Years.					
	Married men.		Married women.		Months.					
	Widowers.		Widows.		Days.					
	Bachelors.		Unmarried women.							

† Ord, 1839, pp. 242, 243.

§ 6. No bell of any church shall be rung or tolled for any funeral, without the permission of the Common Council, under the penalty of twenty dollars, to be paid by the sexton or person having charge of the said church.\*

§ 7. Any person who shall violate the provisions of section five of this chapter, shall forfeit and pay, for every such offence, the sum of twenty-five dollars.†

§ 8. It shall be the duty of the City Inspector to furnish the said sextons and other persons having charge of any burying-ground or vault, with copies of the form set forth in section five of this chapter; and the said City Inspector shall report to the Attorney of the Corporation, all violations of any or either of the provisions of this chapter.‡

§ 9. No sexton or other person having charge of any place of interment in the city of New York, shall, under a penalty of two hundred and fifty dollars, inter, or permit to be interred, any dead body therein, without having first received a certificate, stating the name, apparent age, birth-place, date, and place of death, and the disease of which he or she shall have died, signed by the attending physician, or in case no physician shall have attended such deceased person, then by some of the family of the deceased, or in case of an inquest having been held by the Coroner, which certificate shall be deposited with the return, in the office of the City Inspector.§

---

\* Ord. of 1839, pp. 243, 244.    † Ibid., p. 244.    ‡ Ibid., p. 176.

§ Ord. of April 17, 1853.



§ 10. No captain, agent or other person attached to any steamboat, ferry-boat, sailing or other vessel, or to any stage, railroad, or other conveyance, public or private, shall convey the body of any person who has died in the city of New York, beyond the limits of said city, without a permit from the City Inspector, under the penalty of two hundred dollars for each offence, to be collected from the person or persons so offending, severally and respectively.\*

§ 11. It shall be the duty of the City Inspector to grant a permit for the removal of the body of any deceased person from the city, which has not been buried, upon receiving a certificate of the death of said person, made in accordance with the provisions of section 9 of this chapter.\*

§ 12. In ordinary cases, the Mayor and City Inspector are authorized to permit the removal of the remains of deceased persons from cemeteries or burial-places within the city; but if there are any extraordinary circumstances in the case, they shall refer all applications made to them, on the subject, to the Common Council.

§ 13. It shall be the duty of the City Inspector to grant a general permit to the sexton of St. Patrick's Cathedral, for the removal of dead bodies, to be interred in the new Roman Catholic Cemetery, in Newtown, Queens' County, Long Island, provided that the said sexton comply with the ninth section of this chapter;

---

\* Ord. April 17, 1843.

and all captains, agents, or other persons attached to any steamboat, ferry boat, sailing, or other vessel, or to any stage, railroad, or other conveyance, shall convey the said dead bodies so to be interred, upon the certificate of the said sexton.

## CHAPTER

## OF SINKS, PRIVIES AND CESS-POOLS.

§ 1. No sink, privy or cess-pool shall hereafter be constructed, or made in any part of the city of New York, south of Fourteenth street, unless the same shall be constructed of brick or stone, and be, at least, ten feet in depth from the surface of the ground, when such depth is practicable, under the penalty of fifty dollars, to be recovered from the owner and builder of the same, severally and respectively.\*

§ 2. No person shall inclose or cover any sink, privy or cess-pool, or arch over or place upon the same, any house, shed or covering, until such sink, privy or cess-pool shall have been examined and measured by the City Inspector or the Health Warden, of the ward in which the same may be, under the penalty of twenty-five dollars for every such offence, to be recovered from the owner and builder of the same, severally and respectively.\*

§ 3. No privy, sink or cess-pool, shall hereafter be made or constructed, within thirty feet of any public well or pump, under the penalty of one hundred dollars, to be paid by the owner and builder thereof, severally and respectively.†

§ 4. No person shall dig any sink or cess-pool, or build or erect any privy, without leaving, at least, two feet of solid earth, or solid mason work laid in mortar or cement,

---

\* Ord. of 1839, pp. 241, 245.

† Ibid. p. 245.



to be measured from the interior line of said sink, between such sink, cess-pool or privy and the adjoining lot, under the penalty of twenty-five dollars, to be paid by the owner and builder thereof, severally and respectively.\*

§ 5. No person shall cover over any sink or privy that may be full, or partly full, nor draw off the contents thereof into any hole or place dug or made to receive the same, under the penalty of twenty-five dollars, to be recovered from the owner of such premises or the person doing the same.\*

§ 6. The owner or occupant of any house, store, building or premises, to which any sink, privy or cess-pool shall belong or appertain, shall not permit the contents thereof to rise within two feet of the surface of the earth, under the penalty of twenty-five dollars, to be recovered from the owner or occupant thereof, severally and respectively.\*

§ 7. The owner or occupant of any house, lot or premises in the city of New York, shall not empty or remove, or cause, or suffer, or permit to be emptied or removed, the contents of any sink, privy or cess-pool, between the last day of May and the last day of September in each year, without the express permission of the City Inspector, obtained for that purpose, under the penalty of twenty-dollars for each offence.\*

§ 8. The owner or occupant of any house, lot or premises shall not cause, or suffer or permit any tub used in any necessary house, sink or privy to be removed, except between the hours of eleven o'clock in the evening and three o'clock in the morning, from the first day of May to

---

\* Ord. of 1839. p. 245.

the last day of September, in any year; and between the hours of ten o'clock in the evening and six o'clock in the morning, during the remainder of the year, under the penalty of ten dollars for each offence.\*

§ 9. No person shall cast, lay, or suffer to run in or upon any street, wharf or pier, or in any slip or dock, or upon or within the distance of three feet of any wharf, or in any lane, alley, lot or vacant place to the southward of Fourteenth street, the contents of any sink, tub, privy or cess-pool, under the penalty of ten dollars for each offence.

§ 10. No person shall throw or deposit, or cause or suffer to be thrown or deposited in any sink, privy or cess-pool, any vegetable substance or garbage, or offal of fish or poultry, or any dead animal, under the penalty of twenty-five dollars for every such offence.\*

§ 11. The owner or occupant of any house, lot or premises in the city of New York, shall not cause or suffer or permit any tub to be used in any necessary house, sink or privy, appertaining or belonging to such premises, unless such tub shall be made perfectly tight, and well secured with copper, brass or iron hoops and handles, under the penalty of ten dollars, to be recovered from the owner or occupant, severally and respectively.\*

§ 12. The owner or occupant of any house, store, building or premises to which a sink, privy or necessary house shall belong or appertain, in which tubs shall be used, shall not suffer or permit the contents thereof to rise within three inches of the top of said tub, under the penalty of

---

\* Ord. 1839, p. 246.

ten dollars for each offence, to be recovered from the owner or occupant, severally and respectively.\*

§ 13. No person shall empty or remove the contents of any tub, sink or privy, in the city of New York, otherwise than in tubs, boxes, or casks made tight and closely covered; each tub, box, cask and cover to be approved by the City Inspector; and any person who shall use for such purposes, any tub, box, cask or cover, other than those approved as aforesaid, shall forfeit and pay the sum of fifty dollars for each offence.†

§ 14. It shall not be lawful for any person or persons to throw the contents of any tub, box, cask, sink or privy, into the North or East rivers, south of Forty-second street, save and except under the circumstances hereinafter mentioned, under the penalty of fifty dollars for each offence.†

§ 15. The several wharves or piers on the North and East rivers, where the contractors for cleaning the streets are permitted to heap up manure, excepting pier number one, East river, are hereby designated and set apart for vessels to come and be fastened to, subject to the directions and regulations of the City Inspector. A pier in the First Ward, to be selected by the Alderman of that District, for the same purpose, from which piers and in which vessels the night-scavengers shall deposit the contents of tubs, boxes, casks, sinks and privies, provided the same shall not be what is called "water;" and it shall be lawful for the night-scavengers to ask, demand, and receive therefor, from the owner of such vessel or vessels, the sum of twenty-five cents for each and every

\* Ordinance of 1839, p. 246,

† Ord. of January 31, 1845.



full load of twenty-four cubical feet; but in case there shall not be at the time, a vessel or vessels at said wharves or piers, capable of containing or receiving the contents so removed, or in case the contents shall at any time be what is called "water," then, and in each of the cases above-mentioned, the night-scavengers may deposit the contents of the tubs, boxes, casks, sinks or privies, from the ends of the said piers, or if vessels shall be lying at the ends of said piers, from a point as near as practicable to the outer ends of the said piers, into the river; and in case any night-scavenger or other person shall deposit the contents of any tub, box, cask, sink or privy at any other wharf, or from any other pier, than those before-mentioned, then such night-scavenger or other person shall forfeit and pay the sum of fifty dollars, for each and every offence; and, if a night-scavenger, he shall be subject, in case of any subsequent offence, to forfeit his license, at the option of the City Inspector.\*

§ 16. No person shall remove, or cause to be removed, the contents, or any part thereof, of any tub, box, cask, sink or privy, south of Forty-second street, without a written or printed permission from the City Inspector, which permission shall specify the time within which the said contents may be removed, and the piers to which the same may be taken and deposited as mentioned in these ordinances, either of which piers the scavenger may elect; and if any person shall remove, or cause, or allow, or assist in removing the contents, or any part thereof, of any tub, box, cask, sink or privy, without such permission, or at any other time than that specified therein, or shall convey

---

\* Ord. of January 31, 1845.

to and deposit, or assist in conveying and depositing, any of the contents aforesaid, from any other pier than one of those described in this ordinance, he shall forfeit and pay for each and every offence, the sum of fifty dollars.\*

§ 17. It shall be the duty of the City Inspector or Health Warden, to examine each sink or privy in each Ward or District, once in each year, and a report shall be made to the City Inspector, on or before the first day of April in each year, of the situation of each sink or privy in each ward or district; and when any sink or privy requires emptying before the tenth of September next thereafter, notice shall be given to the owner of such sink or privy, or his agent, or, if they cannot be found, the tenants thereof, requiring the removal of the contents of such sink or privy to be performed forthwith; but the omission of such notice shall not excuse the person, whose duty it is to cause such sink to be emptied, from the payment of the sum of ten dollars, as hereinbefore specified.\*

§ 18. The City Inspector is directed to advertise, and sell to the highest bidder, in conformity with law, the right for five years, to all the night-soil taken from the sinks in the city; and the same shall be deposited by the scavengers in boats to be furnished by the person receiving the right; the boats to be used to be tight deck boats of no less than fifty tons, custom house measurement; the person who shall receive the right, shall be bound to enter into a contract with the City Inspector for the faithful performance of his contract for five years, and give security to the amount of one thousand dollars. The person or persons who shall have the contract awarded to

---

\* Ord. of January 31, 1845.

him or them, shall have the right of the exclusive use of two berths at each of the following named piers, to wit: The pier foot of Clarkson street; the south side of pier foot of Twenty-sixth street, North river; the south side of pier foot of Thirty-eighth street, East river; also the north side of pier foot of Rivington street, and that the scavengers be compelled, under a penalty of twenty-five dollars, to proceed directly from the place where such soil shall be gathered, to the river, or to a street leading directly to the nearest dumping place, and dump all the night-soil taken from the privies or sinks into the boats of such person or persons who shall receive the contract from the city; and return the contract to the Common Council for confirmation.\*

§ 19. The City Inspector hereby is authorized and directed immediately to advertise, for thirty days, proposals for the sale of, and then, in conformity to the provisions of the laws of the state, to sell to the highest bidder, who shall furnish adequate security, the right and privilege of collecting and removing dead horses, and other dead animals, blood, offal and other refuse matter and nuisances, in accordance with the following specifications, for the term of five years next thereafter;—the contract to be prepared by the Counsel to the Corporation.†

#### SPECIFICATIONS.

*First.* The contractor shall collect, and remove from all parts of the city to the dock and slip, at the foot of Forty-fifth street, East river, or to such other docks or

---

\* Ord. Aug. 15, 1855.

† This section was passed on 14th December, 1855. Though temporary in its character, its operation may extend over five years, and it may be the basis of a permanent system.



slips as the Common Council may, at any time or times hereafter designate and provide, all dead horses and other dead animals; and shall, at all times, provide and keep, at his own cost and expense, such a number of suitable carts as shall be necessary, for a prompt and faithful performance of such work; said carts shall be approved and licensed by the City Inspector.

*Second.* The contractor shall, at all times, provide and keep, at such dock or slip as aforesaid, a suitable number of suitable boats, scows, barges or vessels for receiving, and shall receive therein all dead horses, and other dead animals, and all blood, offal and other refuse matter from butchers' slaughter-houses, and all bones, fish, fish offal, diseased or tainted meats, and all other nuisances of a similar kind, which may or shall be offered by any person or persons at such dock or slip.

*Third.* The contractor shall furnish, at his own cost and expense, suitable boxes for the reception of all orders or complaints; the same to be placed, one at each police station-house in the city, and one at the office of the City Inspector, and to cause all orders and complaints to be collected from each and every station-house, and from the office of the City Inspector, at least twice every day; and shall cause all dead animals to be removed, in accordance with the contract, as soon as possible after the reception of any such order or complaint, or other notice.

*Fourth.* The contractor shall, at least once in every day, remove all such dead horses, animals, blood, offal, and other matters and nuisances as aforesaid, to some suitable and proper place or places beyond the limits of the

city; and whenever the City Inspector shall so direct, such removal shall be made twice in each day, during the months of June, July, August and September.

*Fifth.* Approved sureties, to the amount of thirty thousand dollars, will be required for the faithful performance and execution of the contract, to the end of the term, which security shall be renewed within three weeks of the close of the year. In every respect, the work to be performed as required, and any neglect or refusal, on the part of the contractor to perform the whole or any part of the stipulations of the contract, or of the requirements of these specifications, shall be sufficient to empower and authorize the City Inspector to proceed to perform so much thereof as shall be neglected or refused, at the expense of, and chargeable by the Corporation to the contractor and his sureties, and such refusal or neglect, shall authorize and empower the Common Council at any time to revoke and annul such contracts.

*Sixth.* The bid shall state the amount which the bidder will pay per annum for such right and privilege, which amount shall be paid by the contractor to the Comptroller, in equal quarterly sums, at the end of each quarter.

*Seventh.* A strict compliance with the provisions of the ordinances relating to "Contracts for supplies, and work done for the Corporation," and amendments thereto, will be observed and required.

*Eighth.* Should the person or persons to whom the contract shall be awarded, fail to attend with his or their sureties, and to execute the same in writing, within three

days after being notified that such contract is ready, he or they shall be considered as having abandoned it, and shall forfeit all right to such award.

§ 20. Any resolutions or ordinances of the Mayor, Aldermen and Commonalty aforesaid, which may conflict with the provisions of these ordinances, are hereby repealed.

REVISER'S NOTE.—This is without alteration from existing ordinances, except in the substitution of "Health Warden," for "Deputy City Inspector," in section 2.



## CHAPTER

## OF CONSTABLES' BADGES.

§ 1. All constables of the city of New York shall hereafter, when on duty, wear a badge, as hereinafter provided and designated.

§ 2. The badge mentioned in the preceding section shall be made of German silver (plain,) bearing the words "Constable," and the number of the ward from which the constables respectively are elected, engraved thereon; as "Constable, First Ward," "Constable, Second Ward," &c; the said badge to be round, and not to exceed two and a half inches in diameter.

§ 3. The said badges shall be deposited with the Mayor, to be distributed by him to the constables of the various wards of the city.

§ 4. The said badges shall be the exclusive property of the city of New York; and when any constable or constables shall resign, or be removed by death or otherwise, or his term of office expire, the said badge or badges, shall be returned to the Mayor, for his or their successor or successors.

§ 5. Any person or persons, not constables, found wearing the said badge, shall be deemed guilty of a misdemeanor and shall be subject to imprisonment for a term not exceeding one year, or a fine of not less than two hundred and fifty dollars.\*

---

\* Ord. of June, 1856.

## CHAPTER

## OF PROVISIONS FOR THE PREVENTION OF FIRES.

§ 1. If any chimney, stove-pipe or flue within this city, shall take fire, the occupant of the house to which such chimney, stove-pipe or flue appertains shall forfeit and pay five dollars.\*

§ 2. All carpenters or others making or using shavings, shall respectively, at the close of each day, cause the same to be securely stowed in some safe place, remote from danger by means of Fire, under the penalty of five dollars for each omission so to do.\*

§ 3. No person shall kindle any fire, nor furnish the materials for any fire, nor in any way authorize or allow any fire to be made in any street, road or lane, or on any pier or bulkhead in this city, except for the purpose of boiling tar, which fire shall not be more than six feet from the bulkhead, or the end of the pier, under the penalty of ten dollars for every such offence.\*

§ 4. No person shall have, put or keep any hay or straw uncovered in any stack or pile, or in any other way exposed, within one hundred yards of any building to the southward of Fourteenth street; or shall have, put or keep, to the southward of said line, any hay, straw, hemp, flax, shavings or rushes, in any building not built of stone, or brick, and covered with tile or slate, or other fire-proof materials, which is or shall be within ten feet of any

---

\* Ord. of May 26, 1841.

dwelling-house or chimney whatsoever, under the penalty of twenty-five dollars for every such offence, and the further penalty of ten dollars for every twenty-four hours the same shall so remain after a printed or written notice has been given to the owner or person having charge thereof, by any Fire Warden, to remove the same.\*

§ 5. No owner or occupant of any stable within this city, or any person in the employment of such owner or occupant, shall use therein any lighted candle or lamp, except the same shall be securely kept within the lantern, under the penalty of ten dollars for every such offence.\*

§ 6. All the fines, penalties and forfeitures imposed on the members of the Fire Department, for not attending to fires, shall, when received, be paid to the treasurers of the respective companies aforesaid, in which the delinquencies may happen, for the use and benefit of said companies, and all the other fines, penalties and forfeitures imposed by the ordinance relating to the Fire Department shall, when recovered, be paid to the Treasurer of the "Fire Department of the city of New York," for the use and benefit of the said Fire Department. The Chief Engineer shall, annually, on the second Monday of December in each year, report to the Common Council the amount of the sums which may be received by the Fire Department of the city of New York, and the application thereof.\*

§ 7. It shall be lawful for the Fire Department of the city of New York, and for the respective companies thereof, or persons duly authorized by them to receive, sue for, and recover, in the name of the Mayor, Aldermen and Commonalty in the city of New York, all

---

\* Ord. of May 26, 1844.



the fines, penalties and forfeitures hereby imposed, and appropriated for the respective uses as aforesaid.\*

---

\* Ord. May 26, 1841.

REVISER'S NOTE.—This is without alteration. It has in some revisions been incorporated in the law respecting the Fire Department, and in respect to the duties of the Chief Engineer and the remedies to be taken for recovery of fines, it might be appropriately there, but its more general scope is of a character that properly places it in a separate chapter. It will, however, in the body of the ordinances immediately succeed the chapter relating to the Fire Department.

## CHAPTER

## OF HOISTWAYS.

§ 1. The owner or occupant of each and every store or other building in the city of New York, in which there is a hoistway, shall cause the said hoistway on each story of said store or other building, to be forthwith inclosed by a good and sufficient railing around the opening thereof, and provide for the inclosing of such opening by a trap door; and each owner or occupant of any such building or store, shall cause said railing to be securely fastened up, and said trap-door to be closed, on the completion of the business of each day in such store or building; and for every violation of the provisions of this section, or of any of them, the owner or owners, occupant or occupants of any such store or building, shall be liable to a penalty of fifty dollars for each and every offence.\*

§ 2. The penalties imposed by this article, shall, when recovered, be paid by the Attorney to the Corporation, to the Treasurer of the Fire Department of the city of New York, for the use and benefit of said Fire Department.\*

§ 3. It shall be the duty of the Fire Wardens of the city of New York, to examine into all violations of this ordinance, and to give, or cause to be given, a notice in writing, signed by at least one of them, to the owner or owners, occupant or occupants, or by leaving such notice

---

\* Ord. of Sept, 19, 1850.

with any person of suitable age on the premises, requiring such cause of violation to be removed within ten days after service of such notice; if said violation is not removed, to report the same in writing to the Corporation Attorney.\*

---

\* Ord. of Sept. 19, 1850.



## CHAPTER

OF THE STORING AND KEEPING OF GUNPOWDER AND FIRE-  
WORKS.

§ 1. It shall not be lawful for any person or persons, except as hereinafter provided, to have or keep any quantity of gunpowder in any house, store, building, or other place in the city of New York, to the northward of a line running through the centre of Sixty-second street, from the North to the East river.\*

§ 2. It shall be lawful for the Mayor to grant licenses for the erection of magazines for the storage of gunpowder in this city, to the northward of Sixty-second street, but no more than six such magazines shall at any time be licensed or permitted. Such magazines shall be erected in such convenient places as may be designated by the respective licenses therefor, and shall be placed remote from any dwelling, and shall be built in accordance with plans and specifications to be approved by, and under the direction of the Superintendent of Repairs and Supplies, who shall have authority to prescribe the materials of which such magazines shall be composed, and the manner in which the same shall be constructed. Such magazines shall, at all times, be subject to the authority and direction of the Common Council, who may make all such rules and regulations in respect thereto as they may deem the public interest require, and they may, at any time, re-

---

\* Ord. of Dec. 13, 1851.

voke any such license, or cause such magazines, or any of them, to be removed from place to place.\*

§ 3. Nothing in this ordinance contained shall apply to the storing and keeping of gunpowder in the State Arsenal, in Fifth avenue, above Sixty-fourth street.\*

§ 4. Every person storing any gunpowder in the portion of the city of New York, in the first section of this chapter specified, (except in such licensed magazines), without the license provided by the second section of this chapter, and any person who shall or may, in pursuance of any license granted under the said last mentioned section, store or keep any gunpowder in any such magazine or place, and shall not in all respects fully comply with the lawful directions of the Superintendent of Repairs and Supplies, or of the Common Council, as provided by this ordinance, shall forfeit and pay the sum of one hundred dollars for each day during which any such gunpowder shall be so stored or kept, contrary to the provisions of this ordinance; and when any person or persons shall have obtained any such license as is provided for in the said second section of this chapter, and shall, in any respect, fail to comply with the said directions of the said Superintendent of Repairs and Supplies, or the said Common Council, such person shall, from the time of any such failure to comply therewith, be deemed to have violated the provisions of this ordinance, and shall be subject to its penalty, in the same manner as if no such license had been granted.

§ 5. No person or persons shall store any fireworks, of any kind or description, other than Chinese fire-crackers,

---

\* Ord. of Dec. 13, 1851.

within the fire limits of the city of New York, except as is hereinafter provided.\*

§ 6. Fireworks, excepting colored pot and lance wheels, and other works of brilliant colored fires, not exceeding in value one thousand dollars, may be kept for retailing within the fire limits, from the tenth day of June to the tenth day of July of each year, and no longer, on a written permission; such permission to be granted by the Chief Engineer of the Fire Department.\*

§ 7. If any fireworks are kept in violation of the provisions of this ordinance, the same may be seized or taken by any police officer of the said city, upon the order of the Mayor, of a captain of police, or any one of the fire wardens; and the same shall be kept by such Mayor, captain or fire warden, upon whose order the same were taken, at some suitable place, beyond the fire limits, and sold at public auction, within one week after such taking; three days' notice of the time and place of such sale shall be given to the person or persons from whose possession the same were taken, and the proceeds, after deducting expenses of conveyance, storage and sale, shall, within one week after the sale, be paid over by the person ordering the seizure, to the Treasurer of the Fire Department Fund, for the use and benefit of the said fund.\*

---

\* Ord. of Dec. 13, 1851.

REVISER'S NOTE.—The only alteration in this ordinance is the substitution of "Superintendent" for "Commissioner" of Repairs and Supplies, in second and fourth sections.



## CHAPTER

## OF THE FIRING OF FIRE-ARMS, CANNONS AND FIRE-WORKS.

§ 1. Every cannon or piece of artillery that shall hereafter be discharged or fired off upon the Battery, shall be placed at the easterly end thereof, as near to the flagstaff as practicable, and in the immediate rear of the paved walk fronting the water, and shall be ranged and pointed in the direction and toward Governor's Island.\*

§ 2. No cannon or piece of artillery shall be discharged or fired off upon the Battery, except at the place, and ranging in the manner provided in the first section of this chapter.\*

§ 3. No cannon or piece of artillery shall be discharged or fired off upon the premises of Castle Clinton or Garden, except on the westerly side thereof; and the same shall only be discharged or fired off in the direction and toward the westerly shore of the Hudson river.\*

§ 4. No cannon or piece of artillery shall be discharged or fired off in the Park (except on the Fourth day of July, and then only cannon not over six pounds calibre) Washington square, or Union square, nor in any street, lane, avenue, or public place in the city of New York, south of Twenty-third street, except as is provided in the foregoing sections of this article.\*

§ 5. Any person or persons, commander or other officer, or private of any artillery or other military company,

---

\* Ord. Jan. 30, 1845.

troop of horse, corps, regiment, battalion, brigade or division, who shall violate any or either of the provisions of this chapter of these ordinances, or shall cause or permit the same to be done, shall severally forfeit and pay the sum of fifty dollars for each discharge or firing off of any piece of artillery, to be paid into the city treasury for the use of the city.\*

§ 6. No tavern-keeper, keeper of a public house, garden or place of resort, nor any other person, shall suffer or permit any person to practice with or fire off any pistol, gun, fowling-piece or other fire-arms, in or upon his or her premises, nor shall suffer or permit any pistol gallery, erected in his or her house, or upon his or her premises, to be used for the purpose of practicing with any pistol, gun, fowling-piece or other fire-arms, upon the first day of the week, called Sunday, under the penalty of fifty dollars for each offence, to be sued for and recovered from the person keeping such public house, tavern, public garden, pistol gallery, place of resort or premises; and also the further penalty of fifty dollars for each offence, to be sued for and recovered from the person firing off or practicing with a pistol, gun, fowling-piece or other fire-arms; and in case such person so offending shall be an apprentice, such penalty shall be sued for and recovered from the master of such apprentice, or in case such person so offending shall be a minor and not an apprentice, the same shall be sued for and recovered from the father of, or in case of the death of the father, then from the mother or guardian of such minor.†

---

\* Ord. of Jan. 30, 1845.

† Ord. of July 10, 1844.

§ 7. No person shall fire, discharge or set off in the city of New York, any rocket, cracker, torpedo, squib, balloon, or other fireworks, or thing containing any substance in a state of combustion, under the penalty of five dollars for each offence.

§ 8. No person shall sell, or expose for sale, nor fire, discharge or set off, in the city of New York, any fireworks called or known by the name of "snakes," or "chasers," or any fireworks called or known by the name of "double-headers," nor any firewooks under any other name, composed of the same material and of the same character of those fireworks specified in this section, under the penalty of fifty dollars for each offence, to be sued for and recovered of the person selling or exposing the same for sale, firing off or discharging the same. And in case such person shall be an apprentice, such penalty shall be sued for, and recovered of and from the master of such apprentice. In case such person shall be a minor, and not an apprentice, the same shall be sued for, and recovered of, and from the father, or in case of the death of the father, then of and from the mother or guardian of such minor.

§ 9. No person shall fire or discharge any gun, pistol, fowling-piece or other fire-arms in the city of New York, under the penalty of ten dollars for each offence.\*

---

\* Ord. 1839, p. 263.

REVISER'S NOTE.—This is without alteration from the present ordinances.



## CHAPTER

## OF THE SALE AND MANUFACTURE OF BREAD.

§ 1. All bread baked and offered or exposed for sale in the city of New York, shall be made of good and wholesome flour and meal, and sold by avoirdupois weight.\*

§ 2. If any baker or other person shall make for sale, offer or procure to be sold, any bread of any other than wholesome flour or meal, or shall sell the same contrary to the preceding section of this law, such person shall forfeit and pay the sum of ten dollars for every such offence.†

§ 3. All loaf-bread offered for sale in this city, not in conformity with the provisions of this law, shall be forfeited, and shall and may be seized and disposed of for the use of the said city.†

---

\* Ord. of 1839, p. 230; amended May 29, 1843.

† Ord. 1839, p. 218.

## CHAPTER

## OF SALES IN THE PUBLIC STREETS.

ARTICLE 1.—*Of Places at which Furniture may be sold at Auction in the Streets.*

ARTICLE 2.—*Of the Regulation of Sales in the Public Streets.*

## ARTICLE I.

*Of the Places at which Furniture may be sold at Auction in the Streets.*

§ 1. The following places are hereby designated as the places at which articles of furniture may be exposed for sale and sold, that is to say:

1. At Peck slip, between Pearl street and Front street.

2. At Burling slip, between Pearl street and Front street.

3. At Old slip, between Water street and Front street.

4. In Broad street, between Front street and South street.

5. In Vesey street, between Church street and Washington street.

6. In the square in front of Greenwich market, on a line with Christopher street, west of Greenwich street.\*

§ 2. No goods, wares, merchandise, or other thing whatever, shall be sold at auction, or exposed for sale in

---

\* Ord. 1839, p. 206.

any street, road, lane, highway or public place in the city of New York, except between the hours of nine o'clock, in the morning and two o'clock in the afternoon of each day, under the penalty of ten dollars for every such offence, to be sued for and recovered from the seller, auctioneer, or his agent, severally and respectively.\*

#### ARTICLE II.

##### *Of the Regulation of Sales in the Public Streets.*

§ 3. No auctioneer, or his agent or servant, or any other person, shall sell at auction, or expose for sale, or lay or place any goods, wares, merchandise or other thing, in any street, road, lane, highway, or public place in the city of New York, unless such person shall first obtain the consent or permission in writing, of the occupant of the lot or building before which such articles, or any part thereof, shall be placed or exposed for sale, under the penalty of ten dollars for every such offence, to be sued for and recovered from the seller, auctioneer or his agent, severally and respectively.†

§ 4. Such articles, after permission granted as required in the third section of this chapter, when placed or exposed for sale, shall not occupy more than one third part in width of the carriage-way of any street, under the penalty of ten dollars for every such offence, to be sued for and recovered from the seller, auctioneer or his agent, severally and respectively.†

§ 5. No person shall sell, or expose for sale, or lay or place in any street, lane, road, highway or public place, at any time between the first day of June and the first

---

\* Ord. of 1839, p. 206.

† Ibid. p. 207.



day of November in each year, any salted beef or pork, dried or pickled fish, blubber, hides, cotton or wool, under the penalty of ten dollars for each offence, to be sued for and recovered from the seller, auctioneer or his agent, severally and respectively.\*

§ 6. No person shall sell, or expose for sale at auction, any carriage or carriages, or any animal or animals, of any description, in any public street or place in the city of New York, except in the Fourth avenue, at the corner of Eighty-sixth street, under the penalty of ten dollars for each offence, to be sued for and recovered from the seller, owner or purchaser thereof, severally and respectively.\*

§ 7. Every article exposed to sale at auction, or sold in any public place, street, lane, road or highway in the city of New York, shall be removed from the same by the setting of the sun of the day of selling or exposing to sale, under the penalty of ten dollars for each offence, to be sued for and recovered from the auctioneer, his agent or the purchaser thereof, severally and respectively.†

§ 8. No bellman or crier, nor any drum or fife, or other instrument of music, nor any show signal, or means of attracting the attention of passengers other than a sign or flag, shall be employed, or suffered or permitted to be used, at or near any place of sale, or at or near any auction-room, or at or near the residence of any auctioneer, or at or near any auction whatsoever, under a penalty of ten dollars for each offence, to be sued for and recovered from the person using the same, and the auctioneer or his

---

\* Ord. 1839, p. 207.

† Ibid., pp. 207, 208.

agent, suffering or permitting the same, severally and respectively.\*

§ 9. No auctioneer, or other person, shall sell or expose for sale at public auction or vendue, any dry goods, hardware, wooden ware or tin ware, by retail or in small parcels or pieces, in any public street, lane, highway or public place in the city of New York, (articles of household furniture at the places, and as is hereinbefore provided, alone excepted,) under the penalty of ten dollars for each offence, to be sued for and recovered from the seller, auctioneer or his agent, severally and respectively.\*

§ 10. No auctioneer, or his agent, or servant shall sell or expose for sale at public auction, any goods, wares, merchandise, or other thing whatsoever, to any person or persons who, at the time of bidding for the same, or whilst examining the same, shall be on the sidewalk or carriage-way of any of the streets of the city, under the penalty of ten dollars for every such offence.\*

§ 11. These ordinances shall not be construed to prevent the sale of goods to persons who may be standing on the carriage-way of such streets or parts of streets or places, as are hereinbefore mentioned and designated.\*

§ 12. No person shall sell or expose for sale, in any of the streets or slips in the city of New York, any tin plate ware or earthen-ware of any description, under the penalty of five dollars for each offence.†

§ 13. The last preceding section of this title shall not be construed to prevent the wholesale disposal of tin

---

\* Ord. 1829, p. 208.

† Ibid., p. 209.

ware or crockery ware, on board of any ship or vessel in the city of New York.\*

§ 14. No person shall sell, or expose for sale, any meat, fish, or food of any description, in any of the streets or public squares in this city, other than in the markets of said city, under the penalty of ten dollars for each offence, except as follows:—Permission is hereby given to farmers and market gardeners to occupy daily, until 12 o'clock, M., free of charge, the vacant space of the northern and southern extremities of the intersection of Broadway and Sixth avenue, between Thirty-second and Thirty-fifth streets, without infringing upon the streets which the said space intersects, for the purpose only of selling vegetables and market produce of their own farms or gardens, under the supervision and control of the City Inspector.\*

§ 15. All persons offending against the last preceding section, shall be deemed guilty of a misdemeanor, and be punished, on conviction before the Mayor, Recorder, or one of the Police Justices of said city, by a fine not exceeding ten dollars, or in default of the payment of such fine, by imprisonment, provided such imprisonment does not exceed ten days.†

§ 16. No auctioneer, or his agent, or servant, or any other person, shall lay, or place, or sell or expose for sale, any article of household furniture in any street, or public place in the city of New York, other than such as is hereinbefore designated or mentioned, under the penalty of twenty dollars for every such offence, to be sued for and

\* Ordinance of 1839, p. 209.

† Ord. of Dec. 18, 1849.

† Ordinance Dec. 27, 1849. The latter clause is added by virtue of a resolution of Feb. 27, 1858.



recovered from the seller, auctioneer, or his agent or servant, severally and respectively.\*

§ 17. No furniture, goods, wares, merchandise, or other article or thing whatever, shall be sold at auction, or exposed for sale by any auctioneer, his agent or servant, or by any other person or persons, upon the sidewalk of Chatham square, between James street and Catharine street, in the city of New York, under the penalty of twenty dollars for every such offence, to be sued for and recovered from the seller, auctioneer, or his agent or servant, or any other person or persons offending, severally and respectively.\*

§ 18. Such articles, when exposed for sale, shall not occupy not more than twenty feet in width, and not more than twenty-five feet in length; of the carriage-way of Chatham square, between James street and Catharine street, in the said city, and shall not be placed within ten feet of each corner of the streets intersecting Chatham square, nor shall any such articles be placed upon, sold or exposed for sale upon any of the cross-walks or intersections of or in said Chatham square, under the penalty of twenty dollars for every such offence, to be sued for and recovered from the seller, auctioneer, or his agent or servant, severally and respectively.\*

§ 19. All furniture, goods, wares, merchandise or other article or thing whatsoever, sold or exposed for sale in Chatham square, between James street and Catharine street, and authorized to be sold there under and by virtue of these ordinances, and all auctioneer stands and conveniences used by or for the auctioneer, or person sell-

---

\* Ord. of July 10, 1844.

ing or exposing the same for sale, shall be removed from the said place before two o'clock of the afternoon of the day on which the sale, or offering for sale is by this ordinance directed to be made, under the penalty of twenty dollars for every such offence, to be sued for and recovered from the seller, auctioneer, or his agent or servant, severally and respectively.\*

§ 20. No auctioneer or other person shall sell, or expose for sale, at public auction or vendue, any dry goods, hardware, wooden ware, tin ware, earthen ware, china ware, glass ware, goods, wares or merchandise of any description, or any other article whatever, by retail, or in small parcels or pieces, in Chatham square, between James street and Catharine street aforesaid, under the penalty of ten dollars for each offence, to be sued for and recovered from the seller, auctioneer, or his agent or servant, severally and respectively.\*

§ 21. No person shall sell, or expose for sale, in any of the streets or slips in the city of New York, any tin plate ware, earthenware, china ware, glass ware, goods, wares and merchandise of any description, or any other article, under the penalty of ten dollars for each offence.\*

§ 22. No person shall sell, or expose for sale, in any of the streets of said city, any fire-wood of any description, under a penalty of ten dollars for each offence; but nothing herein contained shall prevent the sale, by any licensed cartman of said city, of any fire-wood on any of the wharves of said city.†

---

\* Ord. of July 10, 1844.

† Ord. of Aug. 17, 1850.

REVISER'S NOTE.—In this chapter there has been no alteration made from the present ordinances.

## CHAPTER

## OF CHIMNEY SWEEPERS.

§ 1. It shall be lawful for the Mayor of the said city to grant licenses, under his hand and seal, to such persons as shall produce to him satisfactory evidence of their good character, to be sweepers of chimneys in the said city; and each person so licensed, shall pay therefor the sum of three dollars.\*

§ 2. Any person so licensed, may keep and employ so many boys, apprentices or servants to assist him in his said business, as he may think proper; provided they are comfortably clad, and sufficiently provided with good and wholesome food, and not under eleven years of age.

§ 3. The said boys, apprentices or servants, shall not be required, by their master or employer, to work before six o'clock in the forenoon, nor after four o'clock in the afternoon, during the winter season; nor before five o'clock in the forenoon, nor after six o'clock in the afternoon, during the residue of the year.†

§ 4. No person so licensed as aforesaid, shall employ any boy under the age of eleven years, as a chimney sweeper, or shall omit or neglect to feed or clothe any of the boys, apprentices or servants in his employ, as above directed, or require or permit them, or any of them, to work at other hours than are above prescribed, under the penalty of five dollars, and the forfeiture of his license, for every such offence.‡

§ 5. No person, without such license as aforesaid, or

---

\* Ord. of 1839, p. 343.

† Ibid., p. 344.

‡ Ibid., p. 345.



after the forfeiture thereof as aforesaid, shall carry on the business of a chimney sweeper, or shall suffer or permit any boy, apprentice or servant belonging to him or in his employ, to sweep any chimney in this city, under the penalty of five dollars.

§ 6. Every person so licensed, shall be subject to all penalties that may be incurred by any chimney taking fire, within one month after having been swept by them respectively, or by any boy, apprentice or servant in their employ.\*

§ 7. Each license granted as aforesaid, shall be numbered; and every person so licensed shall cause the boys, apprentices or servants in his employ, to wear a badge, upon which shall be inscribed the number of his license; and if any such boy, apprentice or servant shall at any time be found out of the house or premises of his master, or employer, and not wearing such badge, his said master, or employer, shall forfeit and pay the sum of two dollars.†

§ 8. The licensed chimney sweepers of the said city shall be authorized to demand and receive the following sums for each and every chimney swept by them, or by their boys, apprentices or servants respectively, that is to say: for every chimney from the uppermost floor of any house, twelve and a half cents; for every chimney from the next floor below, fifteen cents; for every chimney from the next floor below, eighteen cents; for every chimney from the next floor below, twenty-one cents; for every chimney from the next floor below, twenty-eight cents; for

\* Ord. of 1839, p. 344.

† Ibid., p. 345.

every chimney from the next floor below, thirty-seven and a half cents; and where a Franklin stove, coal grate or jack are used in any fire-place, twelve and a half cents may be demanded, and received in addition to the above-mentioned sums.\*

§ 9. It shall be lawful for the Mayor of the said city, from time to time, to appoint one of the licensed chimney sweepers, to be called "The Inspector of Chimney Sweepers," who shall hold his office for the term of one year, subject, however, to removal by the said Mayor, and whose duty it shall be to see that this law be duly observed by the said licensed chimney sweepers and all others, and to report the names of offenders to the Attorney of the Corporation.\*

§ 10. It shall be the duty of every sweeper of chimneys, licensed as aforesaid, to report to the Mayor the names of all persons employed by him for the purpose of sweeping chimneys, and also the names of all such as shall quit his employment. And if any person so licensed shall neglect so to do for the space of one week, he shall forfeit and pay five dollars.†

§ 11. A register shall be kept in the Mayor's office, of the name and place of residence of every person licensed as aforesaid.†

§ 12. The provisions of this ordinance shall apply to those persons who use machinery in sweeping chimneys, for hire, as well as to those who sweep by other methods.†

---

\* Ord. of 1839, p. 345.

† Ibid. p. 346.

REVISER'S NOTE.—There is no alteration in this chapter from existing ordinances.

## CHAPTER

## OF DRIVING HORSES IN THE CITY.

§ 1. No person shall ride or drive any horse or horses in the city of New York, with greater speed than at the rate of five miles an hour, under the penalty of ten dollars for each offence, to be recovered from the owner or driver thereof, severally and respectively.\*

§ 2. No person, upon turning the corner of any street in the city of New York, shall ride or drive any horse or horses, otherwise than on a walk, under the penalty of five dollars for each offence, to be paid by the owner or driver thereof, severally and respectively.\*

§ 3. No horse shall be suffered or permitted to go loose or at large, in any of the streets in the city of New York, under the penalty of ten dollars for every such offence, to be paid by the owner or person having the care, charge or keeping thereof, severally and respectively.\*

§ 4. No person shall suffer or permit to go, or lead, or ride, or drive any horse upon any sidewalk in the city of New York, under the penalty of five dollars for each offence, to be paid by the owner or person having the care, charge or keeping thereof, severally and respectively.\*

§ 5. No person shall run, or race any horse in any public street, road or avenue, in the city of New York, nor shall consent to or suffer such racing, under the pen-

---

\* Ord. of 1839, p. 204.



alty of fifty dollars, to be recovered from the person or persons who shall so race, or suffer, or permit such racing, and the owner, rider, and the person having charge of any animal which shall so race and run, severally and respectively.\*

§ 6. The last preceding section of this chapter shall be construed to prevent and punish the running, racing or trotting of any horse or horses, for any trial of speed, or for the purpose of passing any other horse or horses, whether the same be founded upon any stake, bet or otherwise.†

§ 7. No person shall drive one horse before another, in the manner commonly called tandem, otherwise than on a walk, in any street in the city of New York, under the penalty of five dollars for each offence, to be paid by the owner or driver thereof severally and respectively.†

§ 8. No person shall show or expose for sale at auction, any horse or other animal, in any street, lane or avenue in the city of New York, under the penalty of five dollars for every such offence.†

§ 9. No person shall drive any horse, sleigh or sled, through any of the public streets or avenues of this city, unless there shall be a sufficient number of bells attached to the harness of such horse and sleigh or sled, to warn persons of his approach, under the penalty of ten dollars for each offence, to be paid by the driver, owner or person having the care, charge or keeping thereof, severally and respectively.†

\* Ord. 1839, pp. 204, 205.

† Ibid., p. 205.

## CHAPTER

## OF PUBLIC WORSHIP IN THE STREETS AND PUBLIC PLACES.

§ 1. No person shall be concerned or instrumental in collecting or promoting any assemblage of persons, under pretence of, or for public worship or exhortation, in the Park or Battery, or in any of the markets or streets, or any public place in the city of New York, laid out and appropriated for the common use of the citizens, under the penalty of twenty-five dollars for each offence.\*

§ 2. It shall be the duty of all magistrates, constables and police officers of the said city, to prevent all such assemblies, and to prosecute, apprehend and report to the attorney of the Board, all persons concerned or instrumental in promoting the same.

§ 3. Every constable or police officer who shall neglect or refuse to perform his duty in the premises, shall, for every neglect, forfeit and pay the sum of five dollars.\*

§ 4. Nothing contained in the preceding sections of this title shall be construed to prevent any clergyman or minister of any denomination from preaching in any place in this city, who shall have obtained the written permission of either the Mayor, or one of the Aldermen or Councilmen of this city therefor.†

§ 5. The first section of this chapter shall not be construed to prevent any ministers or people of any church,

---

\* Ord. 1839, p. 209.

† Ibid, p. 210.

usually called Baptists, from assembling in proper places in the city of New York, for the purpose of performing the rites of baptism according to the ceremonies of such church.\*

§ 6. No person shall disturb, molest or interrupt any clergyman or minister who shall have obtained permission according to section four of this chapter, or who shall be performing the rites of baptism, as permitted by the section five of this chapter, or shall commit any riot or disorder in any such assembly, under the penalty of twenty-five dollars for each offence.\*

---

\* Ord. 1839, p. 210.

REVISER'S NOTE.—This is without alteration from the present ordinances.



## CHAPTER

## OF ELECTION DISTRICTS.

§ 1. The twenty-two wards of the city of New York' (comprising seventeen Aldermanic Districts, as constituted under the fiftieth section of the amended charter, passed April 14, 1857) shall be, and are hereby severally divided into election districts, the extent and limits of which said election districts shall be as follows, that is to say:

§ 2. The First Ward shall be divided into five election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the First Ward shall contain all that part of the city bounded by and lying within North or Hudson river, Morris street, Whitehall street and the East river, including Governor's, Ellis' and Bedloe's Islands, in the bay, and belonging to the city, and within its jurisdiction.

The second election district of the First Ward shall contain all that part of the city bounded by and lying within the Hudson river, Rector, Greenwich and Thames streets, Broadway and Morris streets.

The third election district of the First Ward shall contain all that part of the city bounded by and lying within Hudson river and Liberty street, Broadway, Thames, Greenwich and Rector streets.

The fourth election district of the First Ward shall contain all that part of the city bounded by and lying within corner of Broadway and Beaver street, through Broadway to Liberty street, Maiden lane, East river, Old slip and Beaver street to Broadway.

The fifth election district of the First Ward shall contain all that part of the city bounded by and lying within Whitehall, Beaver street, Old slip and East river.

§ 3. The Second Ward shall be divided into two election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Second Ward shall contain all that part of the city bounded by and lying within Broadway, Chatham, Spruce, Gold and Liberty streets.

The second election district of the Second Ward shall contain all that part of the city bounded by and lying within Gold and Ferry streets, East river and Maiden lane.

§ 4. The Third Ward shall be divided into four election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Third Ward shall contain all that part of the city bounded by and lying within Hudson river, Vesey street, Broadway and Liberty street.

The second election district of the Third Ward shall contain all that part of the city bounded by and lying within Hudson river, Robinson, Greenwich and Murray streets, Broadway and Vesey street.

The third election district of the Third Ward shall contain all that part of the city bounded by and lying within Hudson river, Chambers street, Broadway, Murray, Greenwich and Robinson streets.

The fourth election district of the Third Ward shall contain all that part of the city bounded by and lying within Hudson river, Rcade street, Broadway and Chambers street.

§ 5. The Fourth Ward shall be divided into five election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Fourth Ward shall contain all that part of the city bounded by and lying within Chatham, Duane, Rose, Frankfort and Dover streets, East river, Peck slip, Ferry, Gold and Spruce streets.

The second election district of the Fourth Ward shall contain all that part of the city bounded by and lying within Rose, Duane, Chatham, Roosevelt, Madison and Pearl streets, New Bowery and Frankfort street.

The third election district of the Fourth Ward shall contain all that part of the city bounded by and lying within New Bowery, Pearl, Madison and Roosevelt streets, East river and Dover street.

The fourth election district of the Fourth Ward shall contain all that part of the city bounded by and lying within Oak and Catharine streets, East river and Roosevelt street.

The fifth election district of the Fourth Ward shall contain all that part of the city bounded by and lying within Roosevelt, Chatham, Catharine and Oak streets.



§ 6. The Fifth Ward shall be divided into six election districts, the extent and limit of which said election districts shall be as follows:

The first election district of the Fifth Ward shall contain all that part of the city bounded by and lying within West Broadway, Franklin street, Broadway and Reade street.

The second election district of the Fifth Ward shall contain all that part of the city bounded by and lying within Franklin, Varick and Beach streets, West Broadway, Canal street and Broadway.

The third election district of the Fifth Ward shall contain all that part of the city bounded by and lying within Hudson river, Harrison, Hudson and Worth streets, West Broadway and Reade streets.

The fourth election district of the Fifth Ward shall contain all that part of the city bounded by and lying within Hudson river, Beach, Hudson, North Moore, Varick and Franklin streets, West Broadway, Worth, Hudson and Harrison streets.

The fifth election district of the Fifth Ward shall contain all that part of the city bounded by and lying within Hudson river, Vestry, Hudson, Laight and Canal streets, West Broadway, Beach, Varick, North Moore, Hudson and Beach streets.

The sixth election district of the Fifth Ward shall contain all that part of the city bounded by and lying within Hudson river, Canal, Laight, Hudson and Vestry streets.

§ 7. The Sixth Ward shall be divided into eight election districts, the extent and limit of which said election districts shall be as follows:

The first election district of the Sixth Ward shall contain all that part of the city bounded by and lying within Broadway, Chambers and Chatham streets.

The second election district of the Sixth ward shall contain all that part of the city bounded by and lying within Broadway, Pearl, Chatham and Chambers streets.

The third election district of the Sixth Ward shall contain all that part of the city bounded by any lying within Broadway, Franklin, Centre and Pearl streets.

The fourth election district of the Sixth Ward shall contain all that part of the city bounded by and lying within Centre, Franklin, Bayard, Mulberry, Park and Worth streets.

The fifth election district of the Sixth Ward shall contain all that part of the city bounded by and lying within Centre, Worth, Park, Mulberry, Chatham and Pearl streets.

The sixth election district of the Sixth Ward shall contain all that part of the city bounded by and lying within Mulberry and Bayard streets, Bowery and Chatham streets.

The seventh election district of the Sixth Ward shall contain all that part of the city bounded by and lying within Broadway, Canal, Baxter and Franklin streets.

The eighth election district of the Sixth Ward shall contain all that part of the city bounded by and lying within Baxter and Canal streets, Bowery and Bayard street.

§ 8. The Seventh Ward shall be divided into nine election districts, the extent and limits of which said election districts shall be as follows:

- The first election district of the Seventh Ward shall contain all that part of the city bounded by and lying within Division, Market, Henry and Catharine streets.

The second election district of the Seventh Ward shall contain all that part of the city bounded by and lying within Henry, Market, Monroe and Catharine streets.

The third election district of the Seventh Ward shall contain all that part of the city bounded by and lying within Monroe and Pike streets, East river and Catharine street.

The fourth election district of the Seventh Ward shall contain all that part of the city bounded by and lying within Division, Pike, Monroe and Market streets.

The fifth election district of the Seventh Ward shall contain all that part of the city bounded by and lying within Madison and Clinton streets, East river and Pike street.

The sixth election district of the Seventh Ward shall contain all that part of the city bounded by and lying within Division, Clinton, Madison and Pike streets.

The seventh election district of the Seventh Ward shall contain all that part of the city bounded by and lying within Division, Gouverneur, Monroe and Scammel streets, East river and Clinton street.

The eighth election district of the Seventh Ward shall contain all that part of the city bounded by and lying within Cherry street, East river and Scammel street.



The ninth election district of the Seventh Ward shall contain all that part of the city bounded by and lying within Division and Grand streets, East river, Cherry, Scammel, Monroe and Gouverneur streets.

§ 9. The Eighth Ward shall be divided into eleven election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Eighth Ward shall contain all that part of the city bounded by and lying within Spring street, Broadway, Canal and Wooster streets.

The second election district of the Eighth Ward shall contain all that part of the city bounded by and lying within Spring, Wooster, Canal and Sullivan streets.

The third election district of the Eighth Ward shall contain all that part of the city bounded by and lying within Spring, Sullivan, Canal and Varick streets.

The fourth election district of the Eighth Ward shall contain all that part of the city bounded by and lying within Spring, Varick, Canal and Hudson streets.

The fifth election district of the Eighth Ward shall contain all that part of the city bounded by and lying within Spring, Hudson and Canal streets and Hudson river.

The sixth election district of the Eighth Ward shall contain all that part of the city bounded by and lying within Houston street, Broadway, Spring and Wooster streets.

The seventh election district of the Eighth Ward shall contain all that part of the city bounded by and lying within Houston, Wooster, Spring and Sullivan streets.

The eighth election district of the Eighth Ward shall contain all that part of the city bounded by and lying within Charlton, Prince, Sullivan, Spring and Hudson streets.

The ninth election district of the Eighth Ward shall contain all that part of the city bounded by and lying within Hamersley, Houston, Sullivan, Prince, Charlton and Hudson streets.

The tenth election district of the Eighth Ward shall contain all that part of the city bounded by and lying within Charlton, Hudson and Spring streets and Hudson river.

The eleventh election district of the Eighth Ward shall contain all that part of the city bounded by and lying within Hamersley, Hudson and Charlton streets and Hudson river.

§ 10. The Ninth Ward shall be divided into twelve election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Ninth Ward shall contain all that part of the city bounded by and lying within Christopher, Hudson and Hamersley streets and the Hudson river.

The second election district of the Ninth Ward shall contain all that part of the city bounded by and lying within Hudson, Christopher, Bedford and Hamersley streets.

The third election district of the Ninth Ward shall contain all that part of the city bounded by and lying within Bedford, Christopher and Fourth streets, Sixth avenue, Carmine and Bleecker streets and Cottage place.

The fourth election district of the Ninth Ward shall contain all that part of the city bounded by and lying within Fourth and Charles streets, Greenwich avenue, West Tenth street and Sixth avenue.

The fifth election district of the Ninth Ward shall contain all that part of the city bounded by and lying within Greenwich and Eighth avenues, Fourteenth street, Sixth avenue and West Tenth street.

The sixth election district of the Ninth Ward shall contain all that part of the city bounded by and lying within Bleecker, Christopher, Fourth and Charles streets, Greenwich avenue and Hammond street.

The seventh election district of the Ninth Ward shall contain all that part of the city bounded by and lying within Bleecker and Hammond streets, Greenwich and Eighth avenues.

The eighth election district of the Ninth Ward shall contain all that part of the city bounded by and lying within Fourteenth street, Eighth avenue, Horatio street and the Hudson river.

The ninth election district of the Ninth Ward shall contain all that part of the city bounded by and lying within Horatio street, Eighth avenue, Troy street and the Hudson river.

The tenth election district of the Ninth Ward shall contain all that part of the city bounded by and lying within Troy street, Eighth avenue, Bleecker and Hammond streets and the Hudson river.

The eleventh election district of the Ninth Ward shall contain all that part of the city bounded by and lying within Hammond, Bleecker and Charles streets and the Hudson river.



The twelfth election district of the Ninth Ward shall contain all that part of the city bounded by and lying within Charles, Bleecker and Christopher streets and the Hudson river.

§ 11. The Tenth Ward shall be divided into six election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Tenth Ward shall contain all that part of the city bounded by and lying within Rivington, Forsyth, Delancey, Eldridge and Grand streets and Bowery.

The second election district of the Tenth Ward shall contain all that part of the city bounded by and lying within Rivington, Ludlow, Delancey, Orchard, Grand, Eldridge, Delancey and Forsyth streets.

The third election district of the Tenth Ward shall contain all that part of the city bounded by and lying within Rivington, Norfolk, Grand, Orchard, Delancey and Ludlow streets.

The fourth election district of the Tenth Ward shall contain all that part of the city bounded by and lying within Grand, Norfolk, Division and Orchard streets.

The fifth election district of the Tenth Ward shall contain all that part of the city bounded by and lying within Grand, Orchard, Canal, Forsyth and Hester streets and Bowery.

The sixth election district of the Tenth Ward shall contain all that part of the city bounded by and lying within Hester, Forsyth, Canal, Orchard and Division streets and Bowery.

§ 12. The Eleventh Ward shall be divided into twelve election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Eleventh Ward shall contain all that part of the city bounded by and lying within Houston, Pitt, Stanton, Ridge, Rivington and Clinton streets.

The second election district of the Eleventh Ward shall contain all that part of the city bounded by and lying within Houston, Sheriff, Rivington, Ridge, Stanton and Pitt streets.

The third election district of the Eleventh Ward shall contain all that part of the city bounded by and lying within Houston, Cannon, Rivington and Sheriff streets.

The fourth election district of the Eleventh Ward shall contain all that part of the city bounded by and lying within Houston street and East river; Rivington and Cannon streets.

The fifth election district of the Eleventh Ward shall contain all that part of the city bounded by and lying within Fifth street, Avenue C, Houston street and Avenue B.

The sixth election district of the Eleventh Ward shall contain all that part of the city bounded by and lying within Ninth street, Avenue C, Fifth street and Avenue B.

The seventh election district of the Eleventh Ward shall contain all that part of the city bounded by and lying within Eleventh street, Avenue D, Ninth street and Avenue B.

The eighth election district of the Eleventh Ward shall

contain all that part of the city bounded by and lying within Fourteenth street, East river, Eleventh street and Avenue B.

The ninth election district of the Eleventh Ward shall contain all that part of the city bounded by and lying within Fifth street, Avenue D, Houston street and Avenue C.

The tenth election district of the Eleventh Ward shall contain all that part of the city bounded by and lying within Ninth street, Avenue D, Fifth street and Avenue C.

The eleventh election district of the Eleventh Ward shall contain all that part of the city bounded by and lying within Eleventh street, East river, Fifth street and Avenue D.

The twelfth election district of the Eleventh Ward shall contain all that part of the city bounded by and lying within Fifth street, East river, Houston street and Avenue D.

§ 13. The Twelfth Ward shall be divided into five election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Twelfth Ward shall contain all that part of the city bounded by and lying within One hundred and twentieth street, Fifth avenue, Eighty-sixth and Hudson river.

The second election district of the Twelfth Ward shall contain all that part of the city bounded by and lying within One hundred and twentieth street, East river, Eighty-sixth street and Fifth avenue, including Ward's Island in the East river, belonging to the city, and within its jurisdiction.



The third election district of the Twelfth Ward shall contain all that part of the city bounded by and lying within One hundred and forty-fourth street, Harlem river, One hundred and twentieth street and Sixth avenue, including Randall's Island in the East river, belonging to the city, and under its jurisdiction.

The fourth election district of the Twelfth Ward shall contain all that part of the city bounded by and lying within One hundred and forty-fourth street, Sixth avenue, One hundred and twentieth street and Hudson river.

The fifth election district of the Twelfth Ward shall contain all that part of the city bounded by and lying within Spuyten Duyvel Creek, Harlem river, One hundred and forty-fourth street and Hudson river.

§ 14. The Thirteenth Ward shall be divided into seven election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Thirteenth Ward shall contain all that part of the city bounded by and lying within Rivington, Clinton, Grand and Norfolk streets,

The second election district of the Thirteenth Ward shall contain all that part of the city bounded by and lying within Rivington, Ridge, Division and Clinton streets.

The third election district of the Thirteenth Ward shall contain all that part of the city bounded by and lying within Rivington, Willett, Grand, Division and Ridge streets.

The fourth election district of the Thirteenth Ward shall contain all that part of the city bounded by and lying within Rivington, Columbia, Grand and Willett streets.

The fifth election district of the Thirteenth Ward shall contain all that part of the city bounded by and lying within Rivington, Goerck, Grand and Columbia streets.

The sixth election district of the Thirteenth Ward shall contain all that part of the city bounded by and lying within Rivington street, East river, Grand and Goerck streets.

The seventh election district of the Thirteenth Ward shall contain all that part of the city bounded by and lying within Grand, Clinton, Division and Norfolk streets.

§ 15. The Fourteenth Ward shall be divided into seven election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Fourteenth Ward shall contain all that part of the city bounded by and lying within Spring, Mulberry, Grand streets and Broadway.

The second election district of the Fourteenth Ward shall contain all that part of the city bounded by and lying within Houston, Mulberry, Spring street and Broadway.

The third election district of the Fourteenth Ward shall contain all that part of the city bounded by and lying within Spring street, Bowery, Grand and Mulberry streets.

The fourth election district of the Fourteenth Ward shall contain all that part of the city bounded by and lying within Prince street, Bowery, Spring and Mulberry streets.

The fifth election district of the Fourteenth Ward shall contain all that part of the city bounded by and lying within Houston street, Bowery, Prince and Mulberry streets.

The sixth election district of the Fourteenth Ward shall contain all that part of the city bounded by and lying within Grand, Mulberry, Canal street and Broadway.

The seventh election district of the Fourteenth Ward shall contain all that part of the city bounded by and lying within Grand street, Bowery, Canal and Mulberry streets.

§ 16. The Fifteenth Ward shall be divided into ten election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Fifteenth Ward shall contain all that part of the city bounded by and lying within Houston, Hancock, Bleecker and Carmine streets and Sixth avenue, Fourth, Thompson, Amity and Sullivan streets.

The second election district of the Fifteenth Ward shall contain all that part of the city bounded by and lying within Houston, Sullivan, Amity, Thompson, Fourth and Wooster streets.

The third election district of the Fifteenth Ward shall contain all that part of the city bounded by and lying within Houston, Wooster and Fourth streets and Broadway.



The fourth election district of the Fifteenth Ward shall contain all that part of the city bounded by and lying within Fourth street, Sixth avenue, Tenth street and University place.

■ The fifth election district of the Fifteenth Ward shall contain all that part of the city bounded by and lying within Tenth street, Sixth avenue, Twelfth street and University place.

The sixth election district of the Fifteenth Ward shall contain all that part of the city bounded by and lying within Eighth street, University place, Fourteenth street and Broadway.

The seventh election district of the Fifteenth Ward shall contain all that part of the city bounded by and lying within Fourth, Wooster and Eighth streets and Broadway.

The eighth election district of the Fifteenth Ward shall contain all that part of the city bounded by and lying within Houston street, Broadway, Fourth street and the Bowery.

The ninth election district of the Fifteenth Ward shall contain all that part of the city bounded by and lying within Fourth street, Broadway, Fourteenth street, Fourth avenue and the Bowery.

The tenth election district of the Fifteenth Ward shall contain all that part of the city bounded by and lying within Twelfth street, Sixth avenue, Fourteenth street and University place.

§ 17. The Sixteenth Ward shall be divided into ten election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Sixteenth Ward shall contain all that part of the city bounded by and lying

within Sixteenth street, Seventh avenue, Seventeenth street, Sixth avenue, Fourteenth street and Eighth avenue.

The second election district of the Sixteenth Ward shall contain all that part of the city bounded by and lying within Nineteenth street, Sixth avenue, Seventeenth street, Seventh avenue, Sixteenth street and Eighth avenue.

The third election district of the Sixteenth Ward shall contain all that part of the city bounded by and lying within Twenty-second street, Sixth avenue, Nineteenth street and Eighth avenue.

The fourth election district of the Sixteenth Ward shall contain all that part of the city bounded by and lying within Twenty-sixth street, Sixth avenue, Twenty-second street, Eighth avenue, Twenty-fourth street and Seventh avenue.

The fifth election district of the Sixteenth Ward shall contain all that part of the city bounded by and lying within Twenty-sixth street, Seventh avenue, Twenty-fourth street, Eighth avenue, Twenty-third street and Ninth avenue.

The sixth election district of the Sixteenth Ward shall contain all that part of the city bounded by and lying within Twentieth street, Eighth avenue, Fourteenth street and Ninth avenue.

The seventh election district of the Sixteenth Ward shall contain all that part of the city bounded by and lying within Twentieth street, Ninth avenue, Fourteenth street and Tenth avenue.

The eighth election district of the Sixteenth Ward shall contain all that part of the city bounded by and lying within Twentieth street, Tenth avenue, Fourteenth street and Eleventh avenue.

The ninth election district of the Sixteenth Ward shall contain all that part of the city bounded by and lying within Twenty-third street, Eighth avenue, Twentieth street and Eleventh avenue.

The tenth election district of the Sixteenth Ward shall contain all that part of the city bounded by and lying within Twenty-sixth street, Ninth avenue, Twenty-third street and Eleventh avenue.

§ 18. The Seventeenth Ward shall be divided into fourteen election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Seventeenth Ward shall contain all that part of the city bounded by and lying within Houston, Eldridge and Rivington streets and the Bowery.

The second election district of the Seventeenth Ward shall contain all that part of the city bounded by and lying within Houston, Essex, Rivington and Eldridge streets.

The third election district of the Seventeenth Ward shall contain all that part of the city bounded by and lying within Houston, Clinton, Rivington and Essex streets.

The fourth election district of the Seventeenth Ward shall contain all that part of the city bounded by and lying within Third street, First avenue, Houston street and the Bowery.



The fifth election district of the Seventeenth Ward shall contain all that part of the city bounded by and lying within Sixth street, First avenue, Third street, Bowery and Third avenue.

The sixth election district of the Seventeenth Ward shall contain all that part of the city bounded by and lying within Ninth street, First avenue, Sixth street and Fourth avenue.

The seventh election district of the Seventeenth Ward shall contain all that part of the city bounded by and lying within Fourteenth street, Second avenue, Ninth street and Fourth avenue.

The eighth election district of the Seventeenth Ward shall contain all that part of the city bounded by and lying within Fourteenth street, First avenue, Ninth street and Second avenue.

The ninth election district of the Seventeenth Ward shall contain all that part of the city bounded by and lying within Fourteenth street, Avenue A, Ninth street and First avenue.

The tenth election district of the Seventeenth Ward shall contain all that part of the city bounded by and lying within Ninth street, Avenue A, Fourth street and First avenue.

The eleventh election district of the Seventeenth Ward shall contain all that part of the city bounded by and lying within Fourth street, Avenue A, Houston street and First avenue.

The twelfth election district of the Seventeenth Ward shall contain all that part of the city bounded by and lying within Fourth street, Avenue B, Houston street and Avenue A.

The thirteenth election district of the Seventeenth Ward shall contain all that part of the city bounded by and lying within Eleventh street, Avenue B, Fourth street and Avenue A.

The fourteenth election district of the Seventeenth Ward shall contain all that part of the city bounded by and lying within Fourteenth street, Avenue B, Eleventh street and Avenue A.

§ 19. The Eighteenth Ward shall be divided into ten election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Eighteenth Ward shall contain all that part of the city bounded by and lying within Nineteenth street, Broadway, Fourteenth street and Sixth avenue.

The second election district of the Eighteenth Ward shall contain all that part of the city bounded by and lying within Nineteenth street, Third avenue, Fourteenth street and Broadway.

The third election district of the Eighteenth Ward shall contain all that part of the city bounded by and lying within Nineteenth street, First avenue, Fourteenth street and Third avenue.

The fourth election district of the Eighteenth Ward shall contain all that part of the city bounded by and lying within Seventeenth street, East river, Fourteenth street and First avenue.

The fifth election district of the Eighteenth Ward shall contain all that part of the city bounded by and lying within Twenty-sixth street, Fifth avenue, Broadway, Nineteenth street and Sixth avenue.

The sixth election district of the Eighteenth Ward shall contain all that part of the city bounded by and lying within Twenty-sixth street, Fourth avenue, Nineteenth street, Broadway and Fifth avenue.

The seventh election district of the Eighteenth Ward shall contain all that part of the city bounded by and lying within Twenty-sixth street, Third avenue, Nineteenth street and Fourth avenue.

The eighth election district of the Eighteenth Ward shall contain all that part of the city bounded by and lying within Twenty-sixth street, Second avenue, Twenty-second street, First avenue, Nineteenth street and Third avenue.

The ninth election district of the Eighteenth Ward shall contain all that part of the city bounded by and lying within Twenty-sixth street and the East river, Twenty-second street and Second avenue.

The tenth election district of the Eighteenth Ward shall contain all that part of the city bounded by and lying within Twenty-second street and East river, Seventeenth street and First avenue.

§ 20. The Nineteenth Ward shall be divided into five election districts, the extent and limits of which election districts shall be as follows:

The first election district of the Nineteenth Ward shall contain all that part of the city bounded by and lying within Fifty-second street, Third avenue, Fortieth street and Sixth avenue.

The second election district of the Nineteenth Ward shall contain all that part of the city bounded by and lying within Fifty-second street, East river, Fortieth street and Third avenue.



The third election district of the Nineteenth Ward shall contain all that part of the city bounded by and lying within Sixty-eighth street, East river, Fifty-second street and Sixth avenue, including Blackwell's Island (in the East river) belonging to the city, and within its jurisdiction.

The fourth election district of the Nineteenth Ward shall contain all that part of the city bounded by and lying within Eighty-sixth street, Third avenue, Sixty-eighth street and Sixth avenue.

The fifth election district of the Nineteenth Ward shall contain all that part of the city bounded by and lying within Eighty-sixth street, East river, Sixty-eighth street and Third avenue.

§ 21. The Twentieth Ward shall be divided into twelve election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Twentieth Ward shall contain all that part of the city bounded by and lying within Hudson river and Twenty-sixth street, Tenth avenue and Thirtieth street.

The second election district of the Twentieth Ward shall contain all that part of the city bounded by and lying within Hudson river and Thirtieth street, Tenth avenue and Fortieth street.

The third election district of the Twentieth Ward shall contain all that part of the city bounded by and lying within Twenty-sixth street and Tenth avenue, Twenty-eighth street and Eighth avenue.

The fourth election district of the Twentieth Ward shall contain all that part of the city bounded by and lying within Twenty-eighth street and Tenth avenue, Thirty-first street and Eighth avenue.

The fifth election district of the Twentieth Ward shall contain all that part of the city bounded by and lying within Thirty-first street and Tenth avenue, Thirty-fourth street and Eighth avenue.

The sixth election district of the Twentieth Ward shall contain all that part of the city bounded by and lying within Thirty-fourth street and Tenth avenue, Thirty-seventh street and Eighth avenue.

The seventh election district of the Twentieth Ward shall contain all that part of the city bounded by and lying within Thirty-seventh street and Tenth avenue, Fortieth street and Eighth avenue.

The eighth election district of the Twentieth Ward shall contain all that part of the city bounded by and lying within Twenty-sixth street and Eighth avenue, Twenty-ninth street and Sixth avenue.

The ninth election district of the Twentieth Ward shall contain all that part of the city bounded by and lying within Twenty-ninth street and Eighth avenue, Thirty-first street and Sixth avenue.

The tenth election district of the Twentieth Ward shall contain all that part of the city bounded by and lying within Thirty-first street and Eighth avenue, Thirty-third street and Sixth avenue.

The eleventh election district of the Twentieth Ward shall contain all that part of the city bounded by and lying within Thirty-third street and Eighth avenue, Thirty-sixth street and Sixth avenue.

The twelfth election district of the Twentieth Ward shall contain all that part of the city bounded by and lying within Thirty-sixth street and Eighth avenue Fortieth street and Sixth avenue.

§ 22. The Twenty-first Ward shall be divided into seven election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Twenty-first Ward shall contain all that part of the city bounded by and lying within Thirtieth street, Fourth avenue, Twenty-sixth street and Sixth avenue.

The second election district of the Twenty-first Ward shall contain all that part of the city bounded by and lying within Twenty-ninth street, East river, Twenty-sixth street and Fourth avenue.

The third election district of the Twenty-first Ward shall contain all that part of the city bounded by and lying within Thirty-fourth street, Fourth avenue, Thirtieth street and Sixth avenue.

The fourth election district of the Twenty-first Ward shall contain all that part of the city bounded by and lying within Thirty-second street, East river, Twenty-ninth street and Fourth avenue.

The fifth election district of the Twenty-first Ward shall contain all that part of the city bounded by and lying within Fortieth street, Lexington avenue, Thirty-fifth street, Fourth avenue, Thirty-fourth street and Sixth avenue.

The sixth election district of the Twenty-first Ward shall contain all that part of the city bounded by and lying within Thirty-fifth street, East river, Thirty-second street and Fourth avenue.



The seventh election district of the Twenty-first Ward shall contain all that part of the city bounded by and lying within Fortieth street, East river, Thirty-fifth street and Lexington avenue.

§ 23. The Twenty-second Ward shall be divided into eight election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Twenty-second Ward shall contain all that part of the city bounded by and lying within Forty-fourth street, Sixth avenue, Fortieth street and Ninth avenue.

The second election district of the Twenty-second Ward shall contain all that part of the city bounded by and lying within Forty-ninth street, Sixth avenue, Forty-fourth street and Ninth avenue.

The third election district of the Twenty-second Ward shall contain all that part of the city bounded by and lying within Fifty-sixth street, Sixth avenue, Forty-ninth street and Ninth avenue.

The fourth election district of the Twenty-second Ward shall contain all that part of the city bounded by and lying within Forty-fourth street, Ninth avenue, Fortieth street and Hudson river.

The fifth election district of the Twenty-second Ward shall contain all that part of the city bounded by and lying within Forty-ninth street, Ninth avenue, Forty-fourth street and Hudson river.

The sixth election district of the Twenty-second Ward shall contain all that part of the city bounded by and lying within Fifty-sixth street, Ninth avenue, Forty-ninth street and Hudson river.

The seventh election district of the Twenty-second Ward shall contain all that part of the city bounded by and lying within Sixty-fifth street, Sixth avenue, Fifty-sixth street and Hudson river.

The eighth election district of the Twenty-second Ward shall contain all that part of the city bounded by and lying within Eighty-sixth street, Sixth avenue, Sixty-fifth street and Hudson river.

*The following are the election districts embraced within the seventeen Aldermanic districts, respectively.*

The first Aldermanic district contains the first, second, third, fourth and fifth election districts of the First Ward; the first and second districts of the Second Ward; the first, second and third districts of the Third Ward; the first district of the Fourth Ward, and the first district of the Sixth Ward.

The second Aldermanic district contains the second third, fourth and fifth election districts of the Fourth Ward, and the second, third, fourth, fifth and sixth districts of the Sixth Ward.

The third Aldermanic district contains the fourth election district of the Third Ward, the first, second, third, fourth, fifth and sixth districts of the Fifth Ward, and the first, second, third, fourth and fifth districts of the Eighth Ward.

The fourth Aldermanic district contains the seventh and eighth election districts of the Sixth Ward; the first, second, third, fourth, fifth and sixth districts of the Seventh Ward; the fourth, fifth and sixth districts of the Tenth

Ward; the seventh district of the Thirteenth Ward, and the sixth and seventh districts of the Fourteenth Ward.

The fifth Aldermanic district contains the sixth, seventh, eighth, ninth, tenth and eleventh election districts of the Eighth Ward; the first, second and third districts of the Ninth Ward, and the first, second and third districts of the Fifteenth Ward.

The sixth Aldermanic district contains the first, second and third election districts of the Tenth Ward; the first district of the Thirteenth Ward; the first, second, third, fourth and fifth districts of the Fourteenth Ward, and the first, second and third districts of the Seventeenth Ward.

The seventh Aldermanic district contains the fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth election districts of the Ninth Ward, and the fourth, fifth, sixth and seventh districts of the Fifteenth Ward.

The eighth Aldermanic district contains the seventh, eighth and ninth election districts of the Seventh Ward; the first, second, third and fourth districts of the Eleventh Ward; the second, third, fourth, fifth and sixth districts of the Thirteenth Ward.

The ninth Aldermanic district contains the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth election districts of the Sixteenth Ward.

The tenth Aldermanic district contains the eighth and ninth election districts of the Fifteenth Ward; the fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh districts of the Seventeenth Ward.



The eleventh Aldermanic district contains the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth election districts of the Twentieth Ward.

The twelfth Aldermanic district contains the fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth election districts of the Eleventh Ward, and the twelfth, thirteenth and fourteenth districts of the Seventeenth Ward.

The thirteenth Aldermanic district contains the first, second, third, fourth, fifth, sixth, seventh and eighth election districts of the Twenty-second Ward.

The fourteenth Aldermanic district contains the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth election districts of the Eighteenth Ward.

The fifteenth Aldermanic district contains the first, second, third, fourth, fifth, sixth and seventh election districts of the Twenty-first Ward.

The sixteenth Aldermanic district contains the first, second, third, fourth and fifth election districts of the Nineteenth Ward.

The seventeenth Aldermanic district contains the first, second, third, fourth and fifth election districts of the Twelfth Ward.\*

---

\* Ord. Sept. 29, 1857.

REVISER'S NOTE.—There were some provisions in the last edition of the ordinances relating to the manner of conducting elections, the whole of which are constructively abrogated by the more recent state laws, and are therefore omitted from this revision.

DOCUMENT No. 16.

---

BOARD OF ALDERMEN,

OCTOBER 1, 1858.

---

The following communication from the Clerk of the Common Council, transmitting several chapters of the Revised Ordinances, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

---

*To the Honorable the Common Council:*

The undersigned herewith presents several chapters of Revised Ordinances.

It is proper to state that these ordinances are presented as the different subjects are prepared, and that it is designed to arrange them in the body of the ordinances in such manner as will best classify the different subjects having relation to each other.

Respectfully,

D. T. VALENTINE.

SEPTEMBER 30, 1858.



## CHAPTER

MISCELLANEOUS PROVISIONS RESPECTING THE EXECUTIVE  
DEPARTMENTS OF THE CORPORATION AND THEIR  
OFFICERS.

ARTICLE I.—*Of the Officers of the Departments and Bureaux,  
and their Accountability.*

II.—*Of Contracts for Supplies and Work for the  
Corporation.*

## ARTICLE I.

*Of the Officers of the Departments and Bureaux, and their  
Accountability.*

§ 1. The terms of office of the several officers not herein provided for, shall be as provided by the laws of this state.\*

§ 2. The Mayor shall appoint, by and with the advice and consent of the Board of Aldermen, all officers whose appointment is not, by the laws of the state, or herein otherwise provided for.\*

§ 3. All officers of the Corporation created by this ordinance shall, before they enter on the duties of their respective offices, take and subscribe before the Mayor, and file in his office, the following oath or affirmation:

“ I do solemnly swear, (or affirm, as the case may be), that I will support the Constitution of the United States, and the Constitution of the State of New York; and that I will faithfully discharge the duties of the office of —, according to the best of my ability.”\*

---

† Ord. May 30, 1849.

§ 4. No person or persons shall be eligible to any appointment under the Common Council of the city of New York, unless he or they shall, at the time of such appointment, be actual residents of the city and county of New York.\*

§ 5. In all cases, except where this ordinance otherwise provides, the heads of departments and other persons applying to the Comptroller for warrants for money to be by them disbursed, shall furnish that officer with the following vouchers:\*

1. When a payment shall have been completed by the signing of a pay-roll, the pay-roll, or a copy thereof, signed by the party receiving money, shall be filed with the Comptroller.

2. When a demand shall have been settled by giving a receipt, the receipt, or a copy thereof, signed by the party receiving the money mentioned therein, shall be filed with the Comptroller.

3. When payments are made for supplies furnished for the use of the Corporation, the original bill, or a copy thereof, with a receipt thereon, signed by the party receiving the money mentioned therein, shall be filed with the Comptroller.

4. When supplies have been furnished, or work done, not coming within any particular department, and which, in their nature, are not subject to any general regulation, the account therefor shall be accompanied by an affidavit that the supplies have been furnished or work done, and that the charge therefor is in all respects just, which shall be filed with the Comptroller.

---

\* Ord. May 30, 1849.

§ 6. All officers, or other persons, to whom the collection or receipt of public moneys is intrusted, and who are required by the laws of this state, or by any ordinance of the Common Council, to pay the same to the Chamberlain, or to make a report thereof to the Comptroller, shall furnish the account or report, under oath, at the time, and in the manner required by such law or ordinance.\*

§ 7. In case of any neglect or refusal to make such payment or report, the Comptroller shall forthwith report the same to the Common Council.

§ 8. If such delinquency shall occur during a recess of the Common Council, the Comptroller shall forthwith report the same to the Mayor.\*

§ 9. Every officer of the Corporation intrusted with the receipt or disbursement of the public moneys, shall exhibit the books and vouchers of his office to the Mayor, the Comptroller, the head of his department, or any member of the Common Council, at all reasonable times, when so required,\*

§ 10. If any officers of the city government, or other persons receiving a salary from the Comptroller, who shall be, and are intrusted with the collection or receipt of public moneys, and who are required by any law of the state, or any ordinance of the Common Council, to pay such moneys to the Chamberlain, or to make a report thereof to the Comptroller, shall fail to furnish such account, or report at the time, and in the manner required by such law or ordinance, the Comptroller shall be autho-

---

\* Ord. of May 30, 1849.



rized, in addition to his other powers, to withhold the payment of any salary.\*

§ 11. The Street Commissioner, the City Inspector, and the Croton Aqueduct Department, are, and each of them is hereby directed to report, in writing, to the Common Council, at the commencement of each stated session, the state of the department, under their charge, and a full and particular statement of the receipts and expenditures of such department, showing fully how and in what way or manner the expenditures are made; to whom and for what purpose; naming such person or persons, and for what particular work or service such expenditure has been made; and also a full and particular statement of the receipts of such department, showing fully how and to whom such receipts are made.†

§ 12. No officer of the Corporation, who shall receive a fixed salary, or rate of compensation for his services, shall be entitled to extra compensation for any service which he may render to the Corporation, or which may be required of him by an ordinance or resolution of the Common Council, the Board of Supervisors, or the Board of Health, unless provision be expressly made for such extra compensation by the ordinance or resolution requiring the service.†

## ARTICLE II.

### *Of Contracts for Supplies and Work for the Corporation.*

§ 13. All supplies to be furnished, or work to be done for the Corporation, whether they are to be paid for out of

---

\* Ord. of August 4, 1849.

† Ord. May 30, 1849.

the city treasury, or out of trust moneys under the control of, or to be assessed or collected by the Corporation, shall be furnished or performed by contract, except for printing, and where provision is otherwise made by this ordinance.\*

§ 14. All contracts to be entered into on the part of the Corporation, for the purposes mentioned in the last section, must be authorized by the Common Council, and when so authorized, shall be made by the department under whose direction the supplies are to be furnished, or the work performed, except that contracts for stationery for the Common Council, the Board of Supervisors, the Board of Health, and the departments, bureaux and officers of the Corporation; and for fuel for the public buildings and offices, other than those attached to the Alms-house Department, shall be made by the Comptroller.\*

§ 15. No contract shall be made, signed or executed until proposals therefor have been advertised, and estimates received and decided upon, as provided by this ordinance, except when otherwise provided by law, nor shall any contract be made, signed or executed for a sum exceeding two hundred and fifty dollars, until all the proposals, estimates, contracts and papers relating thereto shall have been laid before the Common Council, and confirmed by them, and an appropriation made therefor.†

§ 16. The several departments empowered by section 14 to make contracts on the part of the Corporation, shall issue proposals for estimates therefor, and advertise the same in the Corporation papers for at least ten days before the day on which the estimates are to be opened.

---

\* Ord. of May 30, 1849, afterwards repealed, but restored by ord. Aug. 13, 1855.

† Ord. Aug. 13, 1855.

There shall be kept in each of said departments an appropriate box to be designated "Estimate Box," with a proper opening in the top thereof to receive estimates for which proposals have been issued. Such box shall be kept locked, except at such times as it may be necessary to open the same to examine and decide upon said estimates, and the key thereof shall be retained by the head of the department. It shall be the duty of the head of the department to deposit in said box all estimates duly presented to him, for work to be done under the direction of the department, immediately on the receipt thereof by him.\*

§ 17. The proposals for estimates shall be in such form as may be prescribed by the department making the same, and shall contain the following particulars:†

1. They shall require that the person making the estimate shall furnish the same in a sealed envelope, to the head of the appropriate department at his office, on or before a day and hour therein named, not less than ten days from the first publication thereof.

2. They shall state the quantity and quality of the supplies, or the nature and extent, as near as possible, of the work required.

3. They shall state that the estimates received will be publicly opened by the head of the department issuing the proposals, at his office, at a day and hour therein mentioned.

4. They shall state the amount in which security is required for the performance of the contract.

---

\* Ordinance June 9, 1852.

† Ord. of May 30, 1849.



5. They shall state, briefly, the several matters required by the next four sections, to be contained in or to accompany the estimates.\*

§ 18. Each estimate shall contain:

1. The name and place of residence of the person making the same.

2. The names of all persons interested with him therein, and if no other person be so interested, it shall distinctly state that fact.

3. That it is made without any connection with any other person making an estimate for the same purpose, and is in all respects fair, and without collusion or fraud.

4. That no member of the Common Council, head of a department, chief of a bureau, deputy thereof, or clerk therein, or other officer of the Corporation, is directly or indirectly interested therein, or in the supplies or work to which it relates, or in any portion of the profits thereof.\*

§ 19. The estimate shall be verified by the oath, in writing, of the party making the estimate, that the several matters stated therein are in all respects true.†

§ 20. It shall be accompanied by the consent, in writing, of two householders or freeholders in the city of New York, to the effect that if the contract be awarded to the person making the estimate, they will, upon its being so awarded, become bound as his sureties for its faithful performance, and that if he shall omit or refuse to execute the same, they will pay to the Corporation any difference

---

\* Ordinance May 30, 1849. † Ord. May 30, 1849, as amended Oct. 25, 1849.

between the sum to which he would be entitled upon its completion, and that which the Corporation may be obliged to pay to the next highest bidder to whom the contract may be awarded.\*

§ 21. The consent mentioned in the last section shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, to be taken before any judge of any court of record in this county, that he is a householder or freeholder in the city of New York, and is worth the amount of the security required for the completion of the contract, and stated in the proposals as prescribed by section 17, over and above all his debts of every nature, and that he has offered himself as a surety, in good faith, and with an intention to execute the bond required by section 27, if the contract shall be awarded to the person or persons for whom he consents to become surety.†

§ 22. The envelope containing the estimate shall be indorsed with the name or names of the person or persons presenting the same, the date of its presentation, and a statement of the work to which it relates; and no estimate shall be taken from the "Estimate box," or the envelope thereof opened by any one, except at the time and in the manner herein designated for deciding upon such estimates: At the time and place appointed for that purpose in the proposals as prescribed in this ordinance, the head of the department, in the presence of at least two of the members of the respective Standing Committees of the Boards of Aldermen and Councilmen, upon the general subject to which such estimates relate, and who, on being no-

---

\* Ord. May 30, 1849.

† Ord. of June 9, 1856.

tified, shall attend, and then and there the estimate box shall be opened by said head of Department, and the estimates to be examined at that time as may appear from the indorsements thereon, shall be taken from said box. The said head of department shall then and there publicly, and in the presence of at least two members of said committees, open and read all estimates which he may have received for the contract mentioned in such proposals, and shall reject all estimates not furnished in conformity with this ordinance, and shall thereupon award the contract to the lowest bidder; or if he shall decline, or shall not execute the contract, to the next lowest bidder, and so on, until the same shall be executed. It shall be the duty of the head of the department who shall have invited estimates as aforesaid, to cause notice, in writing, to be given to said committees of said Boards, and to each member thereof, to attend as aforesaid. In the event of two of said members not attending at said time and place, such estimates shall not be opened, and the said head of department shall adjourn the opening of said estimates to another time, not exceeding five days, and shall publicly announce to those present the time and place of such adjournment, and shall cause written notice thereof to be given to each member of said committees. At such adjourned day, if two members of said committees are present, he shall proceed to open the same in manner aforesaid. If two members of such committees are not present at such adjourned time and place, the head of department shall report the fact to the Common Council for directions; and such estimates shall remain unopened until the Common Council shall designate the manner in which the same shall be opened. It shall



be the duty of said committees, or any member thereof, so present at the opening of estimates, to report to the Board of which he is a member, any irregularity or other objectionable practice occurring in the opening of, or decision upon, any said estimate.\*

§ 23. When proposals are issued for a contract to furnish any article of which a sample can conveniently be furnished, the head of the department issuing the same may require that such sample be delivered at his office, or at the office of the head of the appropriate bureau in his department, within such time before the opening of the estimates as he may prescribe, and if it be not so furnished or do not conform to the quality required by the proposals, the estimate delivered by the person furnishing or omitting to furnish the same, as the case may be, shall be rejected. The samples of articles furnished, as aforesaid, shall be at all times subject to the inspection and examination of the members of the Common Council, or any committee thereof.\*

§ 24. In all contracts for work for the Corporation, where provision is made for the payment of the contract, price by installments, a provision shall be inserted that the contractor shall allow ten per cent. of the contract price of the work actually done, to remain as security, till the whole work shall be completed, according to the contract.†

§ 25. In all contracts for work done by or for the Corporation, the head of the department having charge thereof shall cause to be inserted a provision that the payment of the last installment due in pursuance thereof

---

\* Ordinance June 9, 1852.

Ord. May 20, 1849.

shall be retained until such head of department shall have satisfactory evidence that all persons who have done work or furnished materials under any such contract, and who may have given written notice to such head of department, at any time within ten days after the completion of said work, that any balance for such work or materials is still due and unpaid, having been fully paid or secured such balance. And if any person so having done work or furnished materials, and giving such notice as aforesaid, shall furnish satisfactory evidence to the department that money is due to him by the contractor under such contract, such head of department shall retain such last installment, or such portion thereof as may be necessary, until such liability shall be discharged or secured. And in all such contracts the time for the completion and finishing of such work shall be inserted.\*

§ 26. In all contracts for work for the Corporation, upon any public building, or in any public street or place, in the performance of which accidents or injuries may happen to the person or property of another, a provision shall be inserted that the contractor shall place proper guards for the prevention of accidents, and shall put up and keep, at night, suitable and sufficient lights during the performance of the work, and that he will indemnify the Corporation for any damages or costs to which they may be put by reason of injury to the person or property of another, resulting from negligence or carelessness in the performance of the work.†

§ 27. Every contract for supplies or work by the Corporation shall be executed by the contractor or contractors

---

\* Ord. of March 20, 1852.

† Ord. of May 30, 1849.

to whom the same may be awarded, and shall be accompanied by a bond, in the penalty mentioned in the proposals therefor, executed by the persons consenting to become bound as sureties, as provided in section twenty or by such other persons as shall be substituted therefor, with the consent of the head of the department making such contract, conditioned for the faithful performance of the contract, and every provision therein contained, and which bond shall be accompanied by the oath, in writing, of the person signing the same, that each is a householder or freeholder in the city of New York, and is worth the amount of the security required for the completion of the contract, and stated in the proposals, as hereinbefore prescribed. And the several departments of the city government, by which every and each contract for work to be done for the Corporation, shall be made in pursuance of the authority of these ordinances, shall have power, and it shall be their duty to require and enforce the faithful execution of each and every contract so made by them; and in case the contractor or contractors shall fail in any respect, to perform the work which he or they have contracted to render or perform, within the time limited for the performance of the same, then it shall be the duty of such department, having charge of such work, to do and complete the same, in the manner provided for the performance of the same in the contract, and the cost of the same shall be a charge against such delinquent contractor or contractors, provided, however, that the head of any department by whom any such contract shall be made, may, on good and sufficient cause, extend, for a reasonable time, the period fixed for the completion thereof; but he shall report to the Common Couocil, at the next meeting



thereafter of either Board of the same, the cause or causes of such extension, together with his reasons therefor, and the Common Council may, on such report being made to them, either diminish or enlarge the period of such extension as may be deemed proper.\*

§ 28. The Comptroller is hereby authorized and directed to advertise for proposals for advertising for the departments of the Common Council, and the official reports of the proceedings of the same for the term of one year, in five newspapers; and also, the following rules shall be observed:

1. Bidders to offer by the line for each time published.
2. Bidders shall set forth, under affidavit, as near as possible, their daily circulation in the city of New York, exclusive of the Sunday and extra issues,
3. The award shall be made to the newspapers offering to perform the work at the lowest rates per one thousand papers so circulated in the city.
4. The Comptroller shall report the bid and his award to the Common Council for confirmation.

§ 29. Whenever any contract shall be made hereafter, by any of the departments of the Corporation, the amount whereof is to be afterward collected by assessments from the property benefited by the work to be done under said contract, it shall be the duty of the head of department making such contracts, to cause to be inserted therein a clause, that as the work progresses, payments will be made to the contractors, by monthly instalments

---

\* Ord. of Oct. 25, 1849, as amended by ord. March 20, 1852.

of seventy per cent. on the work performed, and the head of department making such contracts shall, forthwith, file a true copy thereof with the Comptroller.\*

§ 30. The amount due contractors on all contracts now confirmed by the Common Council, and on work now in progress, under contracts on account of regulating and paving streets, building sewers, and all other work ordered to be done by contract, by virtue of ordinances of the Common Council, shall be paid by the Comptroller, from the proceeds of Assessment Bonds, issued in accordance with the act of the legislature, passed April 16, 1852; but no moneys shall be paid on account of said assessments or contracts until a copy of the original contracts has been filed with the Comptroller of the city by the head of department having such work in charge, with a certificate, in writing, from the head of such department, stating the amount of work that has been completed, and the amount due the contractor for such work, according to the terms of the original contract; upon the amount thus certified and ascertained to be due to the contractor, the Comptroller shall pay *seventy per cent.*—the remaining thirty per cent. to be reserved until the final completion of the contract.\*

§ 31. For the purpose of providing for the payments contemplated under this ordinance, it shall be the duty of the Comptroller, from time to time, to borrow such sums as may be necessary, (as provided in the act entitled “An act to authorize the Mayor, Aldermen and Commonalty of the city of New York to issue Assessment Bonds,” passed April 16, 1852,) upon bonds to be known as “Assessment

---

\* Ord. Dec. 30, 1854.

Bonds," at a rate of interest not to exceed six per cent. per annum; and the bonds so issued shall be paid from the collections made on the assessment lists, when confirmed by the Common Council, and which are hereby specifically pledged for such purpose; and the contractors to whom payments shall have been made, in accordance with the provisions of sections 29 and 30 of this chapter, shall, upon the final payment of the amount due upon their several contracts, be charged at the rate of seven per cent. per annum, for all sums that may have been advanced to them, as provided in the foregoing sections of this ordinance; and it shall be the duty of the Comptroller to deduct from the amount due on each contract, the interest money so charged.\*

§ 32. Whenever any payment shall become due upon any contract, according to the provisions thereof, or in accordance with any of the provisions of these ordinances, it shall be the duty of the head of department having such work in charge, to furnish to the person or persons entitled to such payments, a certificate, in writing, signed by the head of such department, specifying the contract upon which such payment is due, and the amount due upon such contract.\*

§ 33. It shall be the duty of the Comptroller, on the presentation of such certificate being made to him, to pay the amount thereof, and indorse such payment upon the contract upon which said payment is made, but no payment shall be made upon such contract beyond the amount thereof, and the final payment thereon shall not be made until the head of department having such work in charge,

---

\* Ord. Dec. 30, 1854.



shall furnish the Comptroller, who shall file the same in his office, a certificate, signed by the head of such department, that the work mentioned in such contract has been completed according to the terms of said contract, and to the satisfaction of the head of department giving such certificate. The final payment upon any such contract shall be at least thirty per cent. on the amount thereof, and the certificate of such final payment shall not be given until the assessment for said work shall be confirmed by the Common Council.\*

§ 34. The Comptroller shall keep a record of all bonds so issued, specifying the particular work on account of which the same may be issued, and all moneys collected on account of any work, for the payment of which said bonds were issued, shall be faithfully applied as aforesaid; and all sums thus received by the Comptroller, for interest, from the contractors beyond the amount paid as interest, upon the assessment bonds, contemplated by this ordinance, shall be paid into the Sinking Fund pledged for the redemption of the city debt.\*

§ 35. This ordinance shall apply only to contracts of ten thousand dollars and over. Contracts involving an expenditure of less amount than ten thousand dollars may be paid by the Comptroller, with assessment bonds, issued in accordance with the state law of April 16, 1852, in the manner prescribed by these ordinances, only upon the confirmation of the assessment by the Common Council. And it is also hereby expressly provided that, hereafter, when the Street Commissioner and Comptroller, or either of them, have reason to believe that the assessable

---

\* Ord. Dec. 30, 1854.

property is insufficient to provide for its full payment by an assessment made in compliance with the laws of the state, and the ordinances of the Common Council, it shall be the duty of the Comptroller to have a certified copy of the valuation of the property fronting on the avenues or streets embraced in the ordinance, and if the sum required to complete the work is greater than the sum which can be assessed and collected from the property, the work shall not be put under contract, but all the facts, with the opinions of the Street Commissioner and the Comptroller, in relation to the matter, shall be reported to the Common Council, to the end that the payment of all assessment bonds issued under this ordinance for the payment of contractors may be amply provided for by the property benefited by the improvement.\*

§ 36. The ordinance entitled "An ordinance to authorize the issue of bonds upon contract, payable by assessment," passed October 13th, 1852, and all other ordinances inconsistent with the preceding ordinances, be and the same are hereby repealed.\*

§ 37. It shall not be lawful for the several departments of the city, and those having charge of expenditures, to make contracts or incur expenditures authorized by the Common Council, to an amount exceeding the several appropriations made, unless an appropriation sufficient to cover such excess shall have been made by the Common Council.

§ 38. All resolutions authorizing expenditures to be hereafter made, shall provide for defraying the same from the general appropriations for the year; but in case any

---

\* Ord. Dec. 30, 1854.

special appropriation shall be made for any object of expenditure under any of the several heads of accounts, the same shall be considered as forming a part of the several heads of accounts and of the general appropriation.

§ 39. Each and every contractor shall be required to have an affidavit from the Surveyor, setting forth the amount of work done of every description, that may be charged in each bill or assessment list of said contract, and that said affidavit be attached to said assessment list; also, that the Inspector be requested to furnish an affidavit attached to each contract, that the said work is done according to the plan and specifications; said affidavit to be attached to each assessment list before presented for confirmation.\*

§ 40. The Street Commissioner is authorized and directed to purchase the materials necessary to make the repairs required to the roads; the said materials to be delivered at points on the roads where the repairs are required; and is authorized and directed to employ such labor as may be necessary, to distribute such materials, and make such repairs without contract.†

§ 41. It shall be the duty of heads of appropriate departments, on application being made to the Common Council for any object or measure, the expense of effecting which is by law directed to be assessed upon the property benefited, or for any change or alteration of the established grade or height of any street or avenue, to give notice in the newspapers employed by the Corporation of such application, requesting such as may object to such applica-

---

\* Res. Feb. 19, 1858.

† Res. July 21, 1858.



tion, to present the same in writing, at the office of said department, on or before the expiration of ten days from the date of such notice.\*

§ 42. In all cases of delinquency in the payment of any assessment for work done, under a contract made by any contractor with the Corporation, in respect to any street or road, and in respect to the building of wharves, piers, slips and sewers in this city, and in all such like contracts, on a final settlement with every such contractor, there shall be allowed and paid to such contractor all interest money which shall have been collected on his account or contract, first deducting the collector's commissions on so much of the said interest as shall have been collected and received by him.†

§ 43. In all contracts for work done at the expense, and by the said the Mayor, Aldermen and Commonalty, for the more speedy execution of any by-laws, ordinances, orders or directions of the said Mayor, Aldermen and Commonalty, and which, by any law the said Mayor, Aldermen and Commonalty are authorized to collect, by assessment or otherwise, from the owners or occupants, lessees or parties interested in any property deemed benefited thereby, provision shall be made for the payment of the amount of said contract, on the completion of the work to the satisfaction of the department making such contract.‡

§ 44. It shall be lawful for the department making any contract, of the character mentioned in the preceding sections of this ordinance, to make provision for the payment

---

\* Ord. April 26, 1845.

† Ord. 1839, p. 192.

‡ Ord. Dec. 23, 1851.

to any contractor, of installments on account of such work, as the same progresses, reserving ten per cent. of the contract price of the work actually done, to remain as security till the whole work be completed according to the contract.\*

§ 45. The Street Commissioner shall hereafter insert a clause in all contracts for building piers and bulkheads, or repairing the same, that no more timber or other materials shall be deposited in the slips or basins than is necessary for the completion of the work specified in the contract.†

---

\* Ord. Dec 23, 1851.

† Res. Jan. 6, 1853.

## CHAPTER

## OF THE PUBLIC MARKETS.

ARTICLE I.—*Of Markets and Market Days.*II.—*Of Clerks of the Markets.*III.—*Of Butchers.*IV.—*Of Market Fees.*V.—*Of General Rules and Regulations.*

## ARTICLE I.

*Of Markets and Market Days.*

§ 1. The following places are hereby severally designated and declared to be the public markets of the city of New York, to wit: Catharine market, Centre market, Clinton market, Essex market, Franklin market, Fulton market, Gouverneur market, Monroe market, Greenwich market, Jefferson market, Tompkins market, Washington market and Union market.\*

§ 2. The ground formerly occupied for a market at the foot of Grand street, East river, is hereby declared to be a hay market. Provided always, that the carts or wagons shall stand in one line only.

§ 3. Every day in the week, excepting Sunday, shall be a public market day within the city.†

§ 4. The Comptroller shall, from time to time, lease at auction, pursuant to law, for one or more years, all the butchers' stalls, and so many of the stands for fishermen,

---

\* Ord. 1839, pp. 73, 74.

† Ibid. p. 74.



country people, and sellers of vegetables and fruit, as they may think proper.\*

§ 5. The rent of all stalls and stands in the public markets shall be payable daily, under condition of forfeiture; and it shall be the duty of the clerks of the respective markets to collect the same, each day, and pay over the amount thereof, together with all other fees, to the City Chamberlain, on Monday in every week.†

#### ARTICLE II.

##### *Of Clerks of the Markets.*

§ 6. It shall be the duty of the clerks of each market, provided with a market bell, to cause the same to be rung for five minutes previously to the closing of such market on every market day, and every butcher or other person attending such market, with articles for sale, who shall remain within the limits of the same for fifteen minutes after the bell shall have been rung as aforesaid, for the purpose of selling or exposing for sale any article or thing, shall forfeit and pay five dollars for every such offence.‡

§ 7. It shall be the duty of the said clerks to examine all articles, in each of their markets respectively, which they may suspect to be unwholesome or stale, or blown, plaited, raised or stuffed meat, or measly pork, or flesh of animals, dead by accident or disease, or known or suspected to be diseased at the killing of the same. And no person shall hinder, obstruct or molest any clerk in the performance of the duty herein enjoined, under the penalty of fifty dollars for each offence.‡

---

\* Ord. 1839, p. 74

† Ord. Jan. 23, 1843.

‡ Ord. 1839, p. 77.

§ 8. It shall be the duty of the said clerks to assign and set apart certain portions of the street at or near the said public markets, for the purpose of exposing for sale and selling garden produce; and no person shall expose for sale or sell any garden produce or other thing whatsoever, in any street at or near the said public markets, other than in the place or places so assigned and set apart by the said clerks, under the penalty of ten dollars for every such offence.\*

§ 9. It shall be the duty of the said clerks, to give directions respecting the arrangement or removal of any article, vehicle, cart, wagon, box, basket or other thing in the market, or streets adjoining thereto. And any person who shall neglect or refuse to obey such direction, shall forfeit and pay, for every such offence, the sum of twenty-five dollars.†

§ 10. In case of the refusal or neglect to obey the directions of the said clerks or either of them, it shall be lawful for, and shall be the duty of the said clerk of any such market, forthwith to remove, or cause such article, cart, vehicle, wagon, box, basket, or other thing to be removed to such place as he shall have previously directed, or to such other place as he shall think proper in such market or street adjoining thereto.†

§ 11. If such article, cart, vehicle, wagon, box, basket, or other thing shall be replaced, after having been removed, as provided in the last preceding section of this title, or shall remain in, or incumber or obstruct, such market or street adjoining thereto, it shall be lawful for, and shall be the duty of the clerk of such market, to order

---

\* Ord. of 1839, pp. 77, 78.

† Ibid. p. 78.

and cause the same to be removed into the yard of the Superintendent of Repairs to Public Buildings of the city of New York, or other suitable place within the said city.\*

§ 12. The said clerks shall have power to suspend any person having a stated stall or stand in any public market, or occupying any part of said market, or the streets adjoining the same, from occupying or using any part of such market, or the streets adjacent thereto, whether such person be a licensed butcher or not; and the said clerk shall, immediately after such suspension, report to the Superintendent of Markets the reasons of such suspension, and the decision of said Superintendent, in all cases, shall be final.\*

§ 13. In case of such suspension, the said clerk making such suspension shall, with all convenient dispatch, make a report of the same in writing, with the reasons therefor, to the Superintendent of Markets.\*

§ 14. No person, suspended as aforesaid, after being served with a written notice of such suspension, shall occupy any part of such market, or the streets adjoining the same, with any thing whatsoever, until the said Superintendent shall have acted in the matter, and either restored such person, or confirmed the said suspension and removed such person from the market, under the penalty of ten dollars for each offence.†

§ 15. The said clerks shall keep a list of the names of all persons holding permits from the Superintendent of Markets, and shall interchange such lists with each other, from time to time, at least once in every three months.‡

---

\* Ord. of 1839, p. 78.

† Ibid., pp. 78, 79.

‡ Ibid., p. 79, 80.



§ 16. In case of suspicion respecting the weight of any article sold, or offered for sale by weight, or of the quantity of any article sold or offered for sale by measure, in any of the public markets, market places or streets contiguous thereto, it shall be the duty of the said clerk of such market to weigh or measure the same; and if any such article shall be found deficient in weight or measure, the person selling or offering the same for sale, shall forfeit and pay ten dollars for each offence.\*

§ 17. It shall be the duty of the said clerks, once in every month, or oftener if they shall think fit, to inspect and examine all the weights, measures and beams used in weighing or measuring in their respective markets, or in the streets at or near the said markets. And if any person shall neglect or refuse to exhibit his or their weights, measures or beams, or any of them, for the purpose of examination or inspection as aforesaid, or shall obstruct, hinder or molest either of the said clerks, in the performance of the duties enjoined by this section, he, she or they shall forfeit, for every such offence, the sum of twenty-five dollars.\*

§ 18. It shall be the duty of the said clerks to attend constantly in their respective markets, from sunrise to the close of the market, for the purpose of carrying the provisions of this chapter into effect.\*

§ 19. It shall be the duty of the said clerks to keep a list of all persons holding stalls or stands in their respective markets; and the said clerks are hereby enjoined and required forthwith to report all violations of any of

---

\* Ord. 1839, p. 79.

the provisions of this chapter to the Attorney of the Corporation, for prosecution.\*

§ 20. It shall be the duty of the Clerk of Fulton Market to cause chains to be placed across the entrance of the inner court or square of said market, immediately after the ringing of the first bell of said market, leaving a space sufficiently large for the admission of foot passengers within the said court,\*

§ 21. The Clerk of Fulton Market shall attend daily at the said market, from the closing of the same until ten o'clock at night, and also on Sundays, for the purpose of preventing disorderly assemblages of persons, and of arresting all vagrants and persons who shall be found at the said market disturbing the peace.\*

§ 22. It shall be the duty of the said clerks to exclude from their respective markets all persons who shall be engaged in combinations to raise the price of provisions, or who shall have been guilty of forestalling therein; and the said clerks shall also report forthwith to the said Superintendent, the names of all persons engaged in any of the said practices.\* †

§ 23. The clerk of each market now in the city of New York, or which may be hereafter erected therein, shall assign some proper and convenient place in his market, for persons wanting employment, to stand, and to which those having occasion to hire, may also resort for their mutual accommodation.†

---

\* Ord. 1839, p. 80.

† Ibid. p. 81.

§ 24. The clerks of the respective markets shall report, at least once in three months, to the City Inspector, the amount of fees and rents received by them from persons occupying stalls and stands in the public markets, and who are permanent occupants, stating particularly the names of the different occupants, and the amount each of them pay, and how often they pay.\*

### ARTICLE III.

#### *Of Butchers.*

§ 25. The Mayor of the city of New York shall, from time to time, issue licenses, under his hand and seal, to exercise and carry on the trade and business of butchers, in such public market as may be designated in such licenses.†

§ 26. All licenses so issued, or which have been issued heretofore, shall expire and cease on the first Monday of December after the granting thereof, and shall be renewed by the said Mayor.†

§ 27. For every license issued as aforesaid, shall be paid the sum of one dollar to the Mayor, on granting the same; and for every renewal of such license, the sum of twenty-five cents.†

§ 28. No person shall exercise or carry on the trade or business of a butcher, or any branch or part thereof, in the public markets, without being licensed or permitted for that purpose, by or under the authority of the Com-

---

\* Res. of Dec. 22, 1849.

† Ord. of 1839, p. 82.



mon Council, under the penalty of fifty dollars for each offence.\*

§ 29. No person, other than those licensed so to do, shall cut up, in any of the markets of the city of New York, any beef, pork, veal, mutton or lamb, and sell or expose the same for sale, by the joint or in pieces, under the penalty of fifty dollars for each offence.†

§ 30. No licensed butcher, or his agent or servant, shall cut up, or expose for sale, or sell any beef, pork, veal, mutton or lamb, in any part of any of the public markets, other than at his own licensed stall, under the penalty of ten dollars for each offence.‡

§ 31. Every butcher shall have and use his own scale-beams and weights, which shall be suspended in some conspicuous place in front of, or at the side of his stall, on a line parallel with the front of his stall, under the penalty of five dollars for every day's omission or neglect.‡

§ 32. The last preceding section shall not be construed to prevent any two butchers, whose stalls are adjoining each other, from using one set of scales and weights in common, provided the same be suspended in a conspicuous place on a line with, and between the said stalls.‡

§ 33. No butcher or other person shall use, within the limits of any public market, any weight, measure or beam which is not sealed by the Sealer of Weights, Measures

---

\* Ord. of 1839, pp. 83, 84.

† Ord. 1839, pp. 84, 85.

‡ Amended so as to read as in the text, by sec. II of Ord. of January 20, 1843, (10 Pro. C. C., p. 148.) See post, p; 117.

and Beams, under the penalty of ten dollars for each offence.\*

#### ARTICLE IV.

##### *Of Market Fees.*

§ 34. The following shall be the rent or daily payment to be demanded and received by the clerks of the several markets, for the occupation of unrented stalls or stands, to be collected by the said clerks, immediately on such stall or stand being occupied, to wit:

1. For a stand for the sale of vegetables and fruits out of the country market, one shilling per day.

2. For every stand for a fisherman, six cents and one quarter per day.

3. For every stand occupied by a countryman bringing the produce of his own farm to market, six cents and one quarter a day.

4. Whenever another person shall be employed, he shall be considered an agent, and if he be agent for one farmer only, he shall pay fifty cents for a stand per day.

5. Whenever a person is agent for more than one person, he shall pay fifty cents for each agency, not exceeding two dollars per day.

6. If the captain of a vessel, or one of his hands, comes to the market with the produce brought in the vessel, he shall pay fifty cents for a stand per day.

---

\* Ord. of 1839, p. 85.

7. If the captain of a vessel employs any other agent than one of his own hands, such agent shall pay two dollars per day.

8. All women hucksters, twenty-five cents per day.

9. All men hucksters, fifty cents per day.\*

§ 35. No person or persons shall occupy any part of any public market, or the streets contiguous thereto, within the distance of three hundred yards from any part of such market, for the purpose of exposing and offering for sale and selling any article or thing whatsoever, without having first paid the rent or market fees, according to the rates specified in the first section of this title, when demanded by the clerk of the said market, under the penalty of twenty-five dollars for every such offence.†

#### ARTICLE V.

##### *General Rules and Regulations.*

§ 36. No person shall sell or expose for sale any meat, beef, mutton, veal or lamb, in any of the said public markets, other than at a butcher's stall, under the penalty of ten dollars for each offence.†

§ 37. The last preceding section shall not be construed to prevent countrymen from bringing to market and selling the meats raised and slaughtered on their own farms.†

§ 38. No person shall sell or expose for sale any article of provision, or other thing whatsoever, in any market or the limits thereof, or in any street within the distance

---

\* Ord. 1839, pp. 85, 86.

† Ibid. p. 86.



of three hundred yards from any part of such market, except at a stall or stand, to be hired by such person of the clerk of the said market, under the penalty of ten dollars for each offence.\*

§ 39. No butcher or other person shall sell, or offer, or expose for sale in any of the public markets, or in any part of the city of New York, any unwholesome or stale articles of provisions, or any flesh of any animal dead by accident or disease, or known or suspected to be diseased at the killing of the same, under the penalty of twenty-five dollars for each offence.†

§ 40. No person shall bring into any market or the limits thereof, or offer, or expose for sale, any blown, plaited, raised or stuffed meat, within the city of New York, under the penalty of ten dollars for each offence.†

§ 41. No butcher or other person shall, between the first day of May and the first day of November in any year, bring into, or place, or suffer, or permit to be brought into, or placed in any market, any untried fat, commonly called gut fat; nor at any time or season, the head of any sheep or lamb, unless the same shall be skinned and properly cleaned; nor any sheep or lamb in carcass or quarter, with any foot or trotters thereto; nor any hides or skins, excepting calves' skins, under the penalty of ten dollars for each offence.†

§ 42. No person shall at any time, bring into any market, or sell or offer or expose for sale, in any public market or other place in the city of New York, any

---

\* Ord. 1839, p. 86.

† Ibid. p. 87.

meagre or back shad, under the penalty of ten dollars for every such offence.\*

§ 43. No person or persons, shall sell, or expose for sale, any fresh fish in any of the said markets, or the streets contiguous thereto, excepting fishermen, or persons who shall have purchased the fish at the fishing places, from the fishermen, under the penalty of ten dollars for each offence.†

§ 44. No person shall sell, or expose for sale, any poultry, eggs, or butter, in any of the said markets, or streets contiguous thereto, except the same shall have been raised on the farm of such person, or unless such person shall have been himself or herself into the country, and there purchased the same from the farmer who raised the same, under the penalty of ten dollars for each offence.†

§ 45. Any person having market produce in any of the said markets, of which he is not the owner, shall, when required by the clerk of said market, procure a written authority from the owner of such produce, describing the quantity thereof, and authorizing such person to sell the same; and any person who shall neglect or refuse to produce such authorization, or who shall produce a fictitious or false one, shall be considered a forestaller in the said market, and shall forfeit and pay for every such offence, the sum of twenty-five dollars.†

§ 46. No person shall sell, or offer, or expose for sale in any of the public markets or the limits thereof, any

---

\* Ord. of 1839, p. 87.

† Ibid., p. 88.

butter, except by weight, under the penalty of five dollars for every such offence.\*

§ 47. No person shall sell, or offer, or expose for sale in any of the public markets or the limits thereof, any butter in less quantities than in rolls, one pound weight each, without any fraction of a pound, or if the butter be contained in tubs, pails or firkins, the same shall be sold by the tub, pail or firkin, and by no less quantity, under the penalty of five dollars for each offence.\*

§ 48. No person shall sell, or offer, or expose for sale, in any of the markets or the limits thereof, any butter, in any vessel, other than such as hath the weight of such vessel marked thereon, before the same is brought into the market, under the penalty of five dollars for each offence.†

§ 49. No person, commonly called a huckster, shall sell or expose for sale, in any of the public markets, or in any street within the city of New York, any provisions or articles of any kind, excepting vegetables or fruit, without having received a permit for the sale of the same, under the penalty of ten dollars for each offence.†

§ 50. No person shall occupy any part of the said markets or market places, for the purpose of selling or exposing for sale, any article or thing whatsoever, without having first obtained a permit in writing for that purpose, and having the same registered with the deputy clerk of said market, under the penalty of twenty-five dollars for each offence.‡

§ 51. No provisions, country produce or other article,

---

\* Ord. 1839, p. 58.

† Ibid., p. 88, 89.

‡ Ibid, p. 90.



which shall have been sold or bargained for in any manner after its arrival in the city of New York, shall be exposed for sale, or sold in any of the public markets of the said city, under the penalty of ten dollars for each offence.\*

§ 52. No person shall purchase in any public market until after the hour of twelve o'clock at noon, any provisions or articles of any kind, with intent to sell the same again at any place in the city of New York, under the penalty of ten dollars for each offence.\*

§ 53. No licensed butcher or any other persons, shall sell or expose for sale, any kind of meat, or other article, in any of the said public markets, or the limits thereof after the hour of one o'clock in the afternoon of each day, between the first day of May and the last day of October, in every year; nor after the hour of two o'clock in the afternoon of each day between the first day of November and the last day of April in every year, except on Saturday, nor on that day after the hour of eleven o'clock in the evening, under the penalty of five dollars for each offence.\*

§ 54. Every cart, wagon or other vehicle, in which articles shall be brought to market, or which shall come within the limits of any market, shall be removed therefrom, at or before seven o'clock in the morning of each day, between the first day of May and the first day of October, and at or before eight o'clock in the morning of each day during the remainder of the year, under the penalty of five dollars for each offence, to be paid by the owner or person having charge thereof.\*

---

\* Ord. 1839, p. 90.

§ 55. Every cart, wagon, or other vehicle, in which any garden produce or other thing shall be brought to market, shall be unloaded immediately on its arrival at the said market, and forthwith removed from the said market or the limits thereof, under the penalty of ten dollars for every refusal or neglect to remove the same, to be recovered from the owner or owners, or person or persons, having charge thereof, severally and respectively.\*

§ 56. All carts, wagons, or other vehicles, and all boxes, baskets or other things, and all market produce or other articles whatsoever, which shall not be removed, as directed by the clerks of their respective markets, as hereinbefore in these ordinances provided, shall be removed by the said clerks to the yard of the Alms-house; and such part thereof as will pay the penalty imposed by these ordinances, shall be forthwith sold, and the said penalty, when thus received, shall be paid over by the said deputy clerks to the Chamberlain of the city.†

§ 57. The said clerks shall also sell so much of the said article or thing as will pay the expense of removal, and the remainder thereof shall continue in the place to which it was removed, until the owner thereof shall pay to the said clerk, for the use of the city of New York, the sum of six cents for every cart or wagon load thereof, for every day the same shall have remained in the said place of removal.†

§ 58. The owner of every cart or other vehicle used

---

\* Ord. 1839, 90, 91.

† Ord. of 1839, p. 91.

for the purpose of bringing meat, garden produce or other thing, to any of the public markets to be sold, shall cause his or her name to be painted, in a plain manner, and on a conspicuous part of such cart or other vehicle, under the penalty of five dollars for every time the same shall be used or driven in the city of New York, without such name, to be recovered from the owner or driver thereof, severally and respectively.\*

§ 59. The last preceding section shall not be construed to apply to the carts used by licensed cartmen of this city, nor to wagons, carts or other vehicles, owned by countrymen and bringing such countrymen's produce to market.†

§ 60. No butcher or other person shall erect, under his shambles or stall, in any market, any box, drawer or closet, which shall approach within twelve inches of the floor of the market, under the penalty of five dollars for each offence.†

§ 61. No person shall bring into any market any articles intended for sale, which shall be conveyed in any covered chest or other thing, where it is hidden from the sight or view, under the penalty of five dollars for each offence.†

§ 62. No butcher or any other person shall have or keep, in any of the public markets, any refrigerator, ice-box or cask containing ice or pickle, unless the same be placed within the limits of, and in the rear of his stall or stand, and be lined with lead or some other metallic substance, so as to be water-tight, and provided with a pipe

\* Ord. of 1839, pp. 91, 92.

† Ibid. p. 92.

‡ The words in italics, in § 65, 66, introduced by resolutions passed February 28, 1845.



of lead, zinc or copper, leading therefrom to the nearest gutter, under the penalty of twenty-five dollars for the violation of each and every provision of this section.

§ 63. No person shall expose for sale, or have in his or her possession, in the city of New York, any trout, between the fifteenth day of October and the fifteenth day of March, in any year, under the penalty of five dollars for each trout so exposed for sale, or had in possession.

§ 64. No person shall expose for sale, or have in his or her possession, in the city of New York, any heath-hens, between the first day of January and the first day of October, in any year, under the penalty of ten dollars for each heath-hen so exposed for sale, or so had in possession.

§ 65. No person shall expose for sale, or have in his or her possession, in the city of New York, any quail, between the *fifth* day of January and the *twenty-fifth* day of October, in any year, under the penalty of five dollars for each quail so exposed for sale, or had in possession.

§ 66. No person shall expose for sale, or have in his or her possession, in the city of New York, any partridge, between the *fifth* day of January and the *twenty-fifth* day of *October*, in any year, under the penalty of ten dollars for each partridge so exposed for sale, or had in his or her possession.

§ 67. No person shall expose for sale, or have in his or her possession, in the city of New York, any woodcock, between the first day of February and the first day of

July, in any year, under the penalty of five dollars for each woodcock so exposed for sale, or so had in his or her possession.

§ 68. The above penalties may be sued for and recovered in any justice's court, by any person or persons who will prosecute for the same; in which case one half of the said penalty shall go to the person or persons who shall prosecute to conviction, and the other half to the Commissioners of the Alms-house, for the benefit of the poor.

REVISER'S NOTE.—This chapter is the same as the ordinances as they now stand, except as follows:

The provisions concerning weighmasters are supposed to be inconsistent with the provisions of the constitution, which abolishes such offices, and are therefore omitted.

The charter of 1857 contains a provision (§ 35) to the effect that wholesome food may be sold or exposed for sale by any person on his own premises, or in such parts of the streets as may be designated by the Common Council, and no license shall be required nor any tax or penalty imposed therefor. In compliance with this provision, several sections applicable thereto have been omitted.

## CHAPTER

OF PROVISIONS CONCERNING THE SALE, &C., OF FIREWOOD,  
OF HAY AND STRAW, OF LIME AND OF COAL.*Of Firewood.*

§ 1. No firewood, brought to this city for sale, shall be landed on any of the docks, wharves or piers of this city, until the same shall have been sold; and all firewood so sold and landed shall be immediately carried away, under the penalty of one dollar for every load which may be so landed before sale, or not taken away when sold.\*

§ 2. No firewood shall be sold otherwise than according to the following regulations, that is to say: the stanchions of each cart or sled which shall be employed in the carrying of such wood, shall be five feet four inches high from the floor of the cart or sled, and no higher; and the breadth of such cart or sled, between the two foremost stanchions, shall be two feet five inches, and between the two hindmost stanchions, two feet nine inches and no more; in which space between the said stanchions, every cartman who shall cart any wood, shall stow as much and as close together as can conveniently be put, or as much of it as will amount to thirty-seven feet ten inches and two-thirds of an inch, cubic measure, which shall constitute, and be deemed by the inspectors a load, and shall and may be bought and sold accordingly.\*

§ 3. No person or persons shall buy or sell any fire-

---

\* Ord. 1839, p. 285.



wood, contrary to the above regulations; and no cartman shall cart any firewood brought to this city for sale, except in carts and sleds made and constructed as by law directed, and loaded as above-mentioned, under the penalty of five dollars for each offence.\*

§ 4. No crooked wood shall be stowed in any cart or sled constructed in manner aforesaid, with other wood, but the same may be sold or disposed of as refuse wood, not subject to the above regulations; and if any cartman who shall cart firewood, shall put or suffer to be put into his cart any such crooked wood as will prevent his cart from containing a full load between the stanchions thereof, he shall, for every load so carted, forfeit the sum of one dollar.\*

§ 5. No cartman or wood-sawyer, or other person for, or on account of such cartman or wood-sawyer, shall purchase any firewood which shall be brought to this city for sale, except it be for the only use of such cartman, wood-sawyer or his family, under the penalty of twenty-five dollars for each offence, except such cartman or wood-sawyer shall have received an order, which it shall be incumbent upon him to prove, to purchase wood. And further, that no cartman or wood-sawyer shall sell or expose to sale, any firewood which shall be brought to this city for sale, on his own account, or as agent for or on account of any person or persons, under a penalty of fifteen dollars for each offence.\*

#### *Of Hay and Straw.*

§ 6. No cartman shall cart or carry for hire or wages,

---

\* Ord. 1839, p. 286.

any hay brought to this city for sale, unless he shall be duly licensed for that purpose by the Mayor, under the penalty of five dollars for every load or part of a load which he shall so cart or carry.\*

§ 7. Every cartman to be so licensed shall first take and subscribe an oath or affirmation, before the said Mayor, well and carefully to examine and inspect all the hay to be carted or carried by him, for the purpose of ascertaining whether it be well and sufficiently cured and dry; and no such cartman shall cart or carry any hay and pass the same as good and merchantable, unless the same be well and sufficiently cured and dry, under the penalty of five dollars for every load or part of a load which he shall so cart or carry.\*

§ 8. Nothing in the last section contained shall be taken or construed to prohibit the importation within this city, or the cartage or sale of any injured or damaged hay, as being so injured or damaged.\*

§ 9. Every cartman to be so licensed shall cause the number of his license to be fairly painted on a tin plate, with red paint upon a white ground, easily to be seen, and shall fix and keep such tin plate so fairly painted and easily to be seen, on the square of the after part of the shaft of his cart, under penalty of twenty dollars for every neglect or default.\*

§ 10. The street or place known as Hall street, between Sixth and Seventh streets, in the Seventeenth Ward of this city, is hereby designated as the place for the sale

---

\* Ord. of 1829, p. 291.

of hay coming from the country, by the wagon, cart, or sled load. \*

§ 11. All the foregoing provisions of this law, shall apply to the sale of straw in this city, except straw made up into bundles, and sold by the bundle. †

§ 12. The boats employed in bringing loose hay or straw to this city for sale, shall have the privilege, in preference to all other vessels, of occupying the whole of Gouverneur slip on the East river; and the basin at the foot of Amos street, on the North River; and no person, having the charge of any other boat or vessel as master owner or otherwise, shall interfere with boats employed in bringing hay to the said places, or prevent their approach thereto, under the penalty of ten dollars for every such offence. \*

§ 13. The pier at the foot of Charles street, with one half of the bulkhead south of said pier, is hereby appropriated for vessels laden with loose hay for sale, to the exclusion of all other vessels. ‡

#### *Of Lime.*

§ 14. No sloop or other vessel which shall bring any slaked or unslaked lime to this city for sale, shall be permitted to lay in any of the public slips or at any of the public wharves in this city, while she has lime on board, except as hereinafter provided, under the penalty of fifty dollars for each offence. †

§ 15. The last preceding section of this title shall not be construed to prevent the laying of vessels having lime

---

\* Ord. of 1839, p. 292.

† Ibid. p. 293.

‡ 10 Pro. C. C. pp. 21, 22.



on board, at the public wharves and in the slips, while discharging cargo, or during the period the lime is bona fide for sale, and the person having charge of said vessel and lime, is ready and willing to sell and deliver the same.\*

§ 16. Every cartman who shall cart any slaked lime, whether merchantable or not, shall provide his cart with a tight box, sufficient to contain sixteen bushels, struck measure; which box shall, whenever any lime is contained therein, be covered with cloth or other sufficient covering to keep the contents from wasting.\*

§ 17. Every cartman who shall cart any slaked lime, excepting in the box, and furnished in the manner provided for in the last preceding section, with the covering therein mentioned, shall forfeit and pay the penalty of five dollars for every such offence.†

§ 18. No person shall keep a lime-house in any of the public streets, lanes or alleys, of the city of New York, between the first day of December and the first day of April in any year, under the penalty of fifty dollars for every twenty-four hours the same shall be kept therein.‡

§ 19. It shall not be lawful for any person to keep a lime-house in any of the public streets, lanes or alleys of the city of New York, for a longer period than three months, under the penalty of ten dollars for every twenty-four hours the same shall be kept therein.

#### *Of the sale of Coal.*

§ 20. All coal which shall be sold from any coal yard

---

\* Ord. 1839, p. 293.

† Ibid. 298, 299.

‡ Ibid. p. 299.

or other place in this city shall be sold by the bushel except anthracite coal, which may be sold by weight.\*

§ 21. No person shall unload, vend, or expose for sale any charcoal at either of the slips in front of any of the public markets of this city, under the penalty of ten dollars, for every such offence.†

§ 22. In the sale of anthracite coal, the hundred weight shall consist of one hundred pounds, avoirdupois and twenty such hundred weight shall constitute a ton.‡

\* Ord. 1839, p. 218.

† Ibid., p. 232.

‡ Ibid., p. 283.

REVISER'S NOTE.—The former ordinances under the titles "of Weighmasters Measurers and Guagers," (Ord. 1845, p. 419.) "Of Ballastmasters, (Ibid. p. 431.) "Of the sale of Coal, (Ibid. p. 434.) "Of the Sale and Inspection of Firewood," (Ibid. p. 438.) "Of the sale of Hay and Straw," (Ibid. p. 444.) "Of the sale of Lime," (Ibid. p. 450.) Are understood to be in a great measure practically abrogated, by section 8 of article v. of the Constitution, which provides, that

"All offices for the weighing, guaging, measuring, culling, or inspecting any merchandise, produce, manufacture, or commodity whatever, are hereby abolished, and no such office shall hereafter be created by law; but nothing in this section contained shall abrogate any office created for the purpose of protecting the public health, or the interests of the state in its property, revenue, tolls, or purchases, or of supplying the people with correct standards of weights and measures, or shall prevent the creation of any office for such purposes hereafter."

The offices designated, have, therefore, for some years been unknown in our municipal affairs, and such parts of the ordinances as relate to them have been omitted as superfluous. Such parts as remain unaffected are introduced under one chapter.

## CHAPTER

## OF WEIGHTS AND MEASURES.

ARTICLE I.—*Of the Districts for Sealing and Inspecting Weights and Measures.*

II.—*Of the Sealing and Inspecting of Weights and Measures.*

III.—*Of the Fees of the Inspectors of Weights and Measures.*

IV.—*Of the Fees of the City Sealers of Weights and Measures.*

## ARTICLE I.

*Of the Districts for Sealing and Inspecting Weights and Measures.*

§ 1. All that part of the city of New York lying southerly and westerly of a line running from the East river through the centre of Fulton street to Broadway; thence through the centre of Broadway to the Bloomingdale road at Tenth street; thence through the centre of the Bloomingdale road to Union place at Fourteenth street; thence through the centre of Fourteenth street to the Bowery; thence along the easterly side of Union place to the Fourth avenue; and thence through the centre of the Fourth avenue to Harlem river, shall be known as the First District for the sealing and inspection of weights and measures; and the Sealer and Inspector of Weights and Measures who may be appointed for the said First



District, shall be confined thereto in the performance of their respective duties.\*

§ 2. All the remaining part of the said city, not embraced within the limits of the said First district, shall be known as the Second District, for the sealing and inspection of weights and measures; and the Sealer and Inspector of Weights and Measures who may be appointed for the said Second District, shall be confined thereto in the performance of their respective duties.\*

#### ARTICLE II.

##### *Of the Sealing and Inspection of Weights and Measures.*

§ 3. All persons using weights, measures, scale-beams, patent balances, steelyards or any other instrument, in weighing or measuring any article intended to be purchased or sold in the city of New York, shall cause the same to be sealed and marked by a City Sealer of Weights and Measures in the said city.†

§ 4. Any person who shall, in weighing or measuring any article for purchase or sale within the city of New York, use any weight, measure, scalebeam, patent balance, steelyard or other instrument, not sealed and marked as is required by the third section of this chapter, shall forfeit and pay the sum of fifty dollars for each and every offence.†

§ 5. All weights, measures, scalebeams, patent balances, steelyards and other instruments for weighing, to be sealed and adjusted by a city Sealer of Weights and Measures in the city of New York, shall be made conform-

---

\* Ord. 1839, p. 265.

† Ibid., p. 266.

able to the standard of the state; and shall be marked by him with the initials of his name, and the year in which the same shall be sealed and marked.\*

§ 6. If any person shall use, in the city of New York, in weighing or measuring, as aforesaid, any weight, measure, scalebeam, patent balance, steelyard or other instrument, which shall not be conformable to such standard, or shall use, in weighing as aforesaid, any scalebeam, patent balance, steelyard or other instrument, which shall be out of order or incorrect, or which shall not balance, he, she or they shall forfeit and pay, for every such offence, the sum of twenty-five dollars.\*

§ 7. There shall be appointed, by the City Inspector, two discreet and competent persons, who shall be known as, and called Inspectors of Weights and Measures in the city of New York, who shall hold office upon the same terms as chiefs of bureaux.†

§ 8. Each of the said Inspectors of Weights and Measures shall, before entering upon the duties of his office, take and subscribe an oath or affirmation, well and faithfully to execute the duties of his office.‡

§ 9. Each of the said inspectors shall also, before entering upon the duties of his office, execute, to the Mayor, Aldermen and Commonalty of the city of New York, a bond, in the penal sum of two thousand dollars, with one or more sufficient sureties, conditioned for the faithful performance of the duties of his office.‡

§ 10. It shall be the duty of the said Inspectors of

---

\* Ord. 1839, p. 265.

† Charter of 1857, sec. 27.

‡ Ord. 1839, p. 267.

Weights and Measures, and each is hereby authorized to inspect and examine, at least once in each and every year, and as much oftener as he may think proper, all weights, measures, scalebeams, patent balances, steelyards and other instruments used in his district in weighing and measuring as aforesaid.\*

§ 11. No person shall refuse to exhibit any weights, measures, scalebeams, patent balances, steelyards, or other instruments, to either of said inspectors, for the purpose of being so inspected and examined, under the penalty of twenty-five dollars for every such offence.†

§ 12. No person shall, in any way or manner, obstruct, hinder, or molest any inspector of weights and measures in the performance of his duties as hereby imposed upon him, under a penalty upon every such person, of twenty-five dollars for every such offence.†

#### ARTICLE III.

##### *Of the Fees of the Inspectors of Weights and Measures.*

§ 13. The said inspectors shall be entitled to demand and receive the following fees for inspecting and examining weights, measures, scalebeams, patent balances, steelyards, and other instruments for weighing, used in the city of New York, namely:

1. For every weight of fourteen pounds, or upward, three cents.

2. For every weight of a smaller denomination, one cent and a half.

---

\* Ord. 1839, p. 265.

† Ibid., p. 267.



3. For every liquid measure, two cents.

4. For every yard and dry measure, three cents.

5. For every scalebeam, patent balance, steelyard or other instrument used for weighing, three cents.\*

§ 14. All weights, measures, scalebeams, patent balances, steelyards, and other instruments used for weighing, shall be inspected at the stores and places where the same may be used; but in case they, or any of them, shall be found not conformable to the standard of this state they shall be sent by the owner thereof, at his expense, to the office of the City Sealer, for the purpose of being adjusted and sealed, within three days after the owner thereof shall be required so to do, in writing, by the said inspector, under the penalty of ten dollars for every such neglect.\*

§ 15. It shall not be lawful for the said inspectors to make the aforesaid charges for inspecting and examining weights, measures, scalebeams, patent balances, steelyards or other instruments used for weighing, more than once in each year, unless they shall be found to be not conformable to the said standard.†

§ 16. It shall be the duty of each of the said inspectors to make a register of all the weights, measures, scalebeams, patent balances, steelyards and other instruments used for weighing, inspected by him, in which he shall state the names of the owners of the same, and whether they are conformable to the standard of the state.†

§ 17. It shall also be the duty of the said inspectors to report, forthwith, to the Sealer of Weights and Measures,

---

\* Ord. of 1839, pp. 267, 268.

† Ibid., p. 268.

the names of all persons whose weights, measures scalebeams, patent balances, steelyards or other instruments used for weighing, shall be found to be incorrect.\*

§ 18. It shall also be the duty of the said Inspectors of Weights and Measures, once in every three months, to deliver a copy of the register made or kept by him, as mentioned in 16th section of this chapter, during the preceding quarter of the year, to the clerk of the Common Council.†

§ 19. It shall be the duty of the Inspectors of Weights and Measures and Sealer of Weights and Measures, to report, forthwith, to the Attorney of the Corporation, the names of all persons who shall violate any of the provisions of this law.†

§ 20. It shall not be lawful for the said inspectors or sealers to vend any weights, measures, scalebeams, patent balances, steelyards or other instruments to be used for weighing, or to offer or expose the same for sale in the city of New York, under the penalty of fifty dollars for every such offence.†

#### ARTICLE IV.

##### *Of the Fees of the City Sealers of Weights and Measures.*

§ 21. The said Sealers of Weights and Measures shall be entitled to demand and receive the following fees for their services:

For sealing and marking every scalebeam, patent balance, steelyard or other instrument used for weighing in the city of New York, twelve and a half cents.

---

\* Ord. of 1839, pp. 268, 269.

† Ibid. pp. 269, 270.

For sealing and marking measures of extension, at the rate of twelve and a half cents per yard, not to exceed fifty cents for any one measure.

For sealing and marking every weight, three cents.

For sealing and marking liquid and dry measures: for every measure under one gallon, three cents; for one gallon and over, twelve and a half cents each.

For sealing and marking every measure of half a bushel, twelve and a half cents; for every measure of two bushels, seventy-five cents; and for every measure of three bushels and over, one dollar.

The said sealer shall also be entitled to a reasonable compensation for making such weights and measures conform to the standard established by law.\*

§ 22. Whenever any Sealer of Weights and Measures shall resign, be removed from office, or remove from the city, it shall be the duty of the person so resigning, removing or removed, to deliver, at the Street Commissioner's office, all the standard beams, weights and measures in his possession.†

---

\* Ord. of 1839, p. 269, 270.

† Ibid. p. 270.

REVISER'S NOTE.—This chapter is without alteration from the former ordinances, except as to the appointment of Inspectors of Weights and Measures, which was formerly by the Common Council, now by section 27, amended charter of 1857, by the City Inspector.



SEMI-ANNUAL REPORT  
OF  
THE COMPTROLLER  
OF THE CITY OF NEW YORK,  
OF THE  
Receipts and Expenditures of the City Government,  
FOR  
TWELVE MONTHS,  
FROM THE FIRST DAY OF JULY, 1857. UNTIL THE SAME PERIOD OF 1858.



NEW YORK:  
CHAS. W. BAKER, PRINTER TO THE COMMON COUNCIL.  
1858.

1938-1939

1938-1939

1938-1939

1938

1938-1939

1938-1939

1938-1939

1938-1939

---

**In Common Council,**

OCTOBER 7<sup>TH</sup>, 1858.

THE SEMI-ANNUAL REPORT OF THE COMPTROLLER,

Of the Receipts and Expenditures of the City Government,

FOR TWELVE MONTHS,

Commencing on the first day of July, 1857, and extending to the first day of July, 1858.

Was received, laid on the table, and ordered to be printed.

**D. T. VALENTINE,**

*Clerk of the Common Council.*

---





## Department of Finance.

COMPTROLLER'S OFFICE,

New York, September 1st, 1858.

*To the Common Council:*

The thirty-fourth section of the Charter of 1857 provides as follows:—

“§34.—It shall be the duty of the Comptroller to publish, two months before the annual election of the charter officers in each year, for the general information of the citizens of New York, a full and detailed statement of the receipts and expenditures of the Corporation during the year ending on the first day of the month in which such publication is made; and in every such statement, the different sources of city revenue, and the amounts received from each; the several appropriations made by the Common Council; the objects for which the same were made, and the amount of moneys expended under each; the moneys borrowed on the credit of the Corporation; the authority under which each loan was made, and the terms on which the same was obtained, shall be clearly and particularly specified.”

The financial operations of the City Government may be classified as follows:

1. *The ordinary expenditures for the support of the city government, which are paid almost entirely by an annual tax.*

2. *The receipts and expenditures on account of the city debt. These embrace the revenues arising from water rents of the Croton Aqueduct, and all revenues from the rents of piers, markets, and public property of every description, with interest on mortgages for sales of real estate, &c.*

3. *The receipts and payments on account of assessments and awards in*

*opening streets, public places, &c.* These are the awards and assessments made by commissioners appointed for the purpose by the Supreme Court, and which are confirmed by the court. These payments are made out of the appropriation for "Streets Opening."

4. *Receipts and payments on account of assessments on property holders for regulating, grading and flagging streets, filling sunken lots and fencing those which are vacant.* Contracts for this work are made by the Street Department; payments are made from the treasury, and the expenses are levied on the property holders, by assessors in the office of the Tax Commissioners. Accounts, under these different heads, are paid from the appropriation for "Streets Paving."

5. *The receipts and expenditures for the construction of sewers.* The Croton Board, by the act, chap. 383, of the laws of 1849, is empowered to make all contracts for the construction of sewers. The expense is provided for by an assessment on the property benefited by the construction of the sewer. The present year there is a distinct appropriation of \$285,000 for this object, and accounts have been opened with each sewer contracted for. Previous to the year 1856, payments for sewers were made from the appropriation in the Street Department for "Streets Paving." The paving of all streets, and the repairs of pavements, are, by the charter of 1857, under the control of the Croton Board, and hereafter special appropriations will be made for paving and repairing streets, on the estimate of the Croton Department.

6. *Revenue Bonds* --Revenue Bonds are issued, and a temporary debt is thus created, in anticipation of the revenue derived from the annual taxes. This mode of supporting the government, by borrowing until the taxes can be collected, is provided for in each ordinance making the annual appropriation, as follows:

"The Comptroller is hereby authorized to borrow, from time to time, on the credit of the Corporation, in anticipation of its revenues, and not to exceed in amount such revenues, such sums as may be necessary to meet the expenditures under the appropriations for the current year."



Under this ordinance, the Comptroller has borrowed on revenue bonds, from the 1st of January to the 1st of July, the sum of \$4,310,150, in anticipation of the tax which by law should be ready for collection on the first of September, and from which the revenue bonds will be reimbursed as they fall due.

The charter of 1857, sec. 33, limits the sum to be borrowed in any one year to the revenues of that year.

The revenue bonds are based on the revenue derived from the annual taxes; and hence the tax levy, which amounts to more than eight millions and a half of dollars, establishes a very broad basis for borrowing on revenue bonds.

#### APPROPRIATIONS AND EXPENDITURES.

STATEMENT No. 1 shows the amount of appropriations for the years 1857 and 1858; also, the expenditures for six months of the year 1857, from July 1st to December 31st, and six months of the year 1858, from January 1st to June 30th; also, in the last column, the total sums expended under the various heads for the twelve months preceding July 1st, 1858, to wit:

For six months of 1857 .....	\$2,309,201 75
For six months of 1858 .....	2,282,956 57
Total for twelve months.....	<u>\$4,592,158 32</u>

STATEMENT No. 2, shows the appropriations made in 1857 and 1858, on account of trust funds and special accounts; also the sums paid out of the treasury on account of these funds, for six months in the year 1857, six months in 1858, and the total expenditures for twelve months preceding July 1st, 1858, to wit:

For six months of 1857.....	\$4,730,670 32
For six months of 1858.....	4,715,921 53
Total for twelve months.....	<u>\$9,446,591 85</u>

STATEMENT No. 3, shows the receipts and expenditures for the city government, including "Trust Funds," for twelve months preceding July 1st, 1858.

The totals of this statement are as follows, viz:

Receipts .....	\$14,426,328 82
Expenditures .....	14,038,750 17
Receipts more than expenditures.....	<u>\$387,578 65</u>

STATEMENT No. 4, has been prepared for the purpose of showing the total amount raised by tax for the last nine years.

The increase of taxation, from year to year, may be seen by the following summary, viz:

Tax levy for 1850.....	\$3,230,180 47
" 1851.....	2,924,384 99
" 1852.....	3,378,335 08
" 1853.....	5,069,650 05
" 1854.....	4,841,255 54
" 1855.....	5,843,822 89
" 1856.....	7,075,425 72
" 1857.....	8,066,566 52
" 1858.....	8,621,091 31

The expenses of the city and county of New York are provided for by an annual tax; the revenues of the Corporation, and all receipts for property sold, being pledged to the public creditors for the payment of the city debts. A mere increase of taxation, therefore, when the rapid growth of the city is considered, is not of itself evidence of unfaithfulness of the public agents, or of extravagance in the public expenditures. This applies with considerable force to the expenses of the courts, the Board of Education, the Alms-house, Police, &c. The Common Council and the departments have no excuse for any material increase of expense, except with those departments which are connected with the construction of buildings and machinery for

the Fire Department, the repairs and cleaning of the streets, and other work which increases with the extension of the city.

Whilst the growth of the city may be referred to as a justifiable cause for a considerable increase of taxation, is it sufficient to justify an increase of more than three millions and a half of dollars, in the short period from 1853 to 1858?

The levy of 1853 was based mainly upon the expenditures of 1852, and included \$742,000 for arrearages of 1852. The valuations, comparing 1853 with 1858, are as follows:

Valuation for 1858.....	\$531,194,290
Valuation for 1853.....	413,631,382
Increase.....	<u>\$117,562,908</u>

The increased valuation of property, comparing 1853 with 1858, is about  $28\frac{1}{2}$  per cent., and the increase of taxation, comparing the same years, is more than 70 per cent.

The municipal government is censured for the extravagant expenditures from the city treasury and the great increase in annual taxes. These complaints are too well founded to warrant a general denial. The Common Council and the departments are sometimes held responsible for seemingly excessive increases in taxes, over which they can exercise no control. This is particularly the case with the  $2\frac{1}{4}$  mill tax for the support of the State government, and the  $\frac{3}{4}$  mill tax for the support of State Schools, amounting, in 1858, to \$1,410,708 21

The Common Council have no restrictive control over the expenditures of the Board of Education.....	\$1,226,013
And the Alms-house.....	605,000
	<u>\$1,831,013</u>

By reference to Statement No. 4, it will be seen that the increase of \$3,551,441 26, from 1853 to 1858, is principally for the following objects:



	1853.	1858.	Increase.
Alms-house.....	\$385,000 00	\$605,000 00	\$220,000 00
Interest on Revenue Bonds..	75,000 00	325,000 00	250,000 00
Salaries .....	235,000 00	584,490 00	349,490 00
State Schools.....	129,971 91	238,063 90	108,091 99
City Schools.....	604,000 00	1,226,013 00	622,013 00
Commissioners of Record...	.....	50,000 00	50,000 00
Lighting Lamp District.....	300,000 00	460,634 00	160,634 00
Police.....	615,000 00	888,548 60	273,548 60
State Tax.....	103,408 23	1,172,644 31	1,069,236 08
Central Park Interest.....	.....	265,700 00	265,700 00
Hospital, Blackwell's Island .....	.....	100,000 00	100,000 00
Increase, 1858 over 1853.....			<u>\$3,468,713 67</u>

In the year 1853, an act was passed for the acquisition of land for the Central Park; the cost of this land, according to the awards of the Commissioners of Estimate and Assessment, was..... \$5,127,637 30  
Add for the purchase of Arsenal lot..... 275,000 00  
It makes a total cost of lands for Central Park of.... \$5,402,637 30

The annual interest on the debt created for the payment of the Central Park is payable by taxation, and the sum included in the tax levy of 1858 for this object is \$265,700.

There has already been borrowed under the law for the improvement of the Central Park, the sum of \$600,000, the interest of which is payable by taxation. There is included in the tax levy of this year, the interest on \$50,000 only, the amount borrowed in 1857.

SINKING FUNDS.

STATEMENT No. 5, shows the revenue received by the Commissioners of the Sinking Fund for the payment of the city debt, the source from which it was derived, and application of the same.

The amount received during the year ending June 30, 1858, is..... \$1,155,326 72

STATEMENT No. 6, shows the receipts and expenditures for the year ending June 30, 1858, on account of the Sinking Fund for the payment of interest on the city debt:

Balance in bank, July 1, 1857.....	\$544,105 12
Amount received during twelve months ending June 30, 1858.....	1,369,051 22
	<u>\$1,913,156 34</u>

STATEMENT No. 7, shows the amount of the permanent city debt, on the 1st of July, 1858, and also the amount of stocks and other securities held by the Commissioners of the Sinking Fund for the payment of this debt:

The total amount of debt is..... \$14,080,428 00

The Commissioners have purchased from time to time, and hold as an investment, a portion of the stock which forms part of this debt, equal

to.....	\$3,780,652 00
Bonds and mortgages.....	667,016 54
Hudson River Railroad Bond.....	10,000 00
	<u>\$4,457,668 54</u>

From which deduct the amount borrowed from Sinking Fund for payment of interest.....

1,424,293 10      3,033,375 44

Debt unprovided for..... \$11,047,052 56

During the twelve months preceding July 1, 1858, certificates of the 5 per cent. Water Stock of 1858 have been redeemed and cancelled by the Commissioners of the Sinking Fund, amounting to \$2,801,274.

In redeeming the above amount of stock, there was paid in cash the sum of..... \$1,478,562 00

And there was paid by an exchange of stock in the hands of the Commissioners, the sum of.....

1,322,712 00

Total amount of certificates cancelled..... \$2,801,274 00

STATEMENT No. 8, shows the amount of debt created for the erection of public buildings, the construction of docks and slips, &c. The several laws authorizing this debt make provision for the reimbursement, by annual taxes, generally \$50,000 in each year.

The present amount of this debt is..... \$1,273,700 00

STATEMENT No. 9, shows the stocks and sureties held by the Commissioners of the Sinking Fund for the redemption of the city debt, July 1, 1858; after deducting the amount advanced for the payment of the city debt, the balance is..... \$3,033,375 44

STATEMENT No 10, shows the amount borrowed by the issue of revenue and assessment bonds.

It appears by this statement that during the twelve months preceding July 1, 1858, revenue bonds were issued to the amount of \$5,598,050; and during the same period there was paid \$5,116,950.

There was issued during the same period assessment bonds to the amount of \$457,000, and the amount paid was \$112,500.

#### SALE OF THE BRICK CHURCH PROPERTY.

An addition has been made to the capital of the Sinking Fund of \$67,500, arising from the sale of the land on which the Brick Church was erected, granted to the Rev. Mr. Rogers, in the year 1766, at an annual rent of forty pounds, which was reduced by the corporation, by a release, dated 3d September, 1785, to twenty-one pounds three shillings, at which sum it remained, until the sale of the property on the 14th of May, 1856.

The Church, by the terms of the grant, was authorized to hold the land granted so long as it was used for a Church or cemetery, and was not appropriated for "private secular uses."

The amount of annual rent was \$52 50, and by an arrangement between the Trustees of the Church and the Commissioners of the Sinking Fund, the property was sold at public auction under a stipulation that the Church should receive seventy-five per cent., and the Corpo-



ration twenty-five per cent. of the amount for which the same should be sold.

The sum of two hundred and seventy thousand dollars was bid for the property, and of this sum the city received \$67,500; \$7,500 being paid down, and a mortgage given for \$60,000.

On the 2d of March, 1858, the mortgage was paid off in full, the principal being \$60,000, and the interest \$2,983 56.

The Sinking Fund is thus realizing an interest on \$67,500, equal to \$4,725, instead of the former rent reserved of \$52 50.

On the 6th of April, 1853, the Comptroller made a report to the Commissioners of the Sinking Fund, embracing a full history of all the facts connected with the grant and the arrangements respecting the settlement between the Church and the Corporation. (See Doc. 37 of Board of Aldermen of that year.)

The Commissioners of the Sinking Fund, as will be seen by reference to that document, were not unanimous in favor of fixing the proportion to be received by the Corporation at twenty-five per cent.; but three of the Commissioners were in favor of making the settlement on those terms.

In the report of the Commissioners of the Sinking Fund, presented to the Common Council, the following consideration was suggested as entitled to weigh with the Municipal government, viz:

“There is another view of this subject, of great moment, which falls more immediately within the range of the duties of the legislative branch of the city government. We allude to the fact, that if the proposed arrangement is carried into effect, it will add, when the property is improved, probably four or five hundred thousand dollars to the taxable property of the city.”

It appears by reference to the tax roll of the Second Ward for the year 1858, that the total amount assessed on the site occupied by the Brick Church and the buildings thereon, is four hundred and ninety-three thousand dollars, which yields to the city in taxes, at the rate fixed in 1858, about \$8,000.

**PAVEMENT OF CHATHAM STREET, THE BOWERY AND FOURTH AVENUE, ETC.**

On the 23d of May, 1853, the Common Council passed a resolution authorizing the Commissioner of Repairs and Supplies to contract with Russ & Reid "for the construction of the pavement known as the 'Russ Pavement,' the entire width of the carriage-way from curb to curb, through Park row, Chatham street, the Bowery and the Fourth avenue, around Union square, to unite with the termination of the work to be done by the parties of the second part, under a contract heretofore executed between the parties to these presents, for the paving of Broadway."

The price to be paid for this pavement from the city treasury was six dollars and fifty cents per superficial yard, and the contract also provided, that "all the old materials should belong to the contractors."

A question having been raised as to the validity of this agreement, the contractors laid down one thousand yards of the pavement in Park row, in order to test the question, and demanded payment of the Comptroller, and on his refusing to pay, applied to a Judge of the Supreme Court for a writ of mandamus against him.

In the meantime, two tax payers commenced proceedings in the Supreme Court to obtain an injunction, on the ground of the invalidity of the contract. An injunction was granted by Judge Roosevelt, and subsequently dissolved on an application by the contractors to Judge Edmonds.

The case of the tax payers was argued in November, 1853, on appeal to the five judges of the Supreme Court, three of whom, Judges Roosevelt, Mitchell and Edwards, decided in favor of making the injunction perpetual—Judges Edmonds and Morris dissenting. The mandamus case of Russ & Reid *vs.* A. C. Flagg, came up before three of the judges; and two of them, Judges Edmonds and Morris, decided that the Comptroller was bound to draw his warrant in favor of Russ & Reid, for the amount due them for the work actually performed under the contract. (See Doc. No. 16, 1854, Board of Aldermen, page 299.) After consultation with the Counsel to the Corporation it was concluded not to appeal, but pay for the work done, \$33,000, provided



Russ & Reid would surrender and cancel their contract, which was accordingly done November 5th, 1853.

In July, 1854, the Board of Councilmen passed a resolution, requesting the Comptroller to inquire and report to that Board "as to the nature and extent of the obligations of the Harlem, Third Avenue and Second Avenue Railroad Companies respectively, in regard to the pavement in Chatham street, the Bowery and Fourth avenue, to Fourteenth street; also as to what share, proportion or amount the said companies, respectively or collectively, will pay towards the cost of paving said thoroughfares, or any and which part thereof with granite, specifying particularly as to the different kinds of granite pavement."

The full statement of facts in reply to this resolution is contained in Documents 61 and 70, Board of Councilmen, 1854. It is shown by the second document referred to, that a measurement and computation was made by Mr. Ewen, embracing that portion of the Russ contract, commencing from a line near the Brick Church, through Chatham street, the Bowery and Fourth avenue to seventeenth street, and thence around Union Park, so as to connect with the Russ pavement in Broadway.

The total number of square yards embraced in this computation was 91,076. The apportionment of this quantity, as required by the terms of the resolution was made by Mr. Ewen, as follows, viz:

	Yards.
To the city.....	70,144
Harlem Railroad.....	13,719
Third Avenue Railroad.....	4,920
Second Avenue Railroad.....	2,293
Total.....	<u>91,076</u>

In Document No. 61, the Comptroller, after expressing an opinion that the railroads ought to be required to pay a just proportion of the pavement proposed to be put down, remarked as follows:

" Mr. Ewen has called my attention to a description given in ' Mil-



lington's Engineering ' of the pavement used in London. I have had this transcribed and annexed, marked B."

This pavement, which appears to be of a very solid and superior character, can be put down, as stated in the work referred to, at two dollars and fifty cents per superficial yard.

In the length of the stone, Mr. Ewen regards this kind of pavement as superior to the Belgian pavement.

If a pavement of this description, or that of the Belgian pavement, could be faithfully and permanently done for twenty shillings or three dollars per yard, it would be for the best interests of the city to pave all the principal thoroughfares in this manner, as soon as practicable.

The work of Millington was published in 1839, and in it he says the pavement, with granite blocks bedded in sand, had then been tested for twenty years. It has now been tested for thirty-five years, and an engineer of great experience, who has recently examined a portion of the pavement, gives a favorable account of its permanence and the even surface presented after long use.

In the use of the Belgian pavement, and that described in the work of Millington, there is no patent to shut out competition, and thus double the cost of the work to the city. Any intelligent mason or paver can take the specification in the work of Millington and lay down as good a pavement as that described in it, which at the time he wrote, had withstood the severest tests in the principal streets of London for twenty years.

In Document No. 70, before referred to, it was computed that the saving in putting down the 91,076 superficial yards of Belgian pavement in lieu of the Russ pavement, would be equal to \$318,766; and if the several railroads paid their proportion of the expense according to the number of square yards embraced in their grants, the saving to the city would be \$381,562.

In that estimate, the Belgian pavement was computed at three dollars per superficial yard.

The work was contracted for on the 22d day of July, 1856, and has been completed by John Pettigrew at two dollars and nineteen cents per superficial yard. This will produce a saving to the tax payers of the city on the whole work of \$402,400 52. A statement is annexed, marked No. 11, which shows the number of square yards laid down in 1856, 1857 and 1858, and the amount paid in each of those years; ten per cent. being reserved according to the terms of the contract. The final estimate of the work has not yet been completed, but it appears by the measurements on which payments have been made, that the result is as follows, viz:

1856.

Certificates for 14,252 yds., at \$2 19, less 10 per cent.... \$28,088 90

1857.

Certificates for 5,352 yds.

“ “ 22,614 “

27,966 yds., at \$2 19, less 10 per cent.... 55,121 00

1858.

Certificates for 51,146 $\frac{7}{8}$  yds., at \$2 19, less 10 per cent.. 100,809 54

\$184,019 44

“ “ 93,364 $\frac{7}{8}$  yds., at \$6 50, contract for Russ  
pavement.....\$606,868 53

“ “ 93,364 $\frac{7}{8}$  yds., at \$2 19, contract for Bel-  
gian pavement..... 204,468 01

\$402,400 52

The saving of \$402,400 52 to the tax payers on this contract is not the only gain which may fairly come into the present comparison. The contract with Russ & Reid gave to them the old materials; that is, the cobble stone and the bridge stone, covering an area of 93,364 $\frac{7}{8}$  yards. In the contract executed by Mr. Pettigrew, the city retained the old materials, and has thus had the advantage of the paving stone to repair the streets of the city; being subjected, however, to the expense of taking up and removing the same.



Since the Croton Aqueduct Board took charge of this contract, Mr. Flender has obtained from the street 14,000 loads of paving stone, which he has used in repairing the other streets. He estimates the fair value of each load at 80 cents, being equal to \$11,200.

It is computed that 3,720 loads ought to have been obtained from the streets for the use of the city, before the contract came under the charge of the Croton Board, although no statement of the number of loads has been reported to the Finance Department:

3,720 loads, at 80 cents per load, is equal.....\$2,976

This makes the total value of the paving stone equal to \$14,176; producing a total saving to the city, in the comparison between the Russ pavement and the Belgian pavement, of \$416,576 52.

---

Since the preceding statement was prepared, the survey and measurement of the whole work done under the contract with Mr. Pettigrew has been completed by Edward Ewen and John J. Serrell, who were selected for this purpose by the Comptroller.

They report the number of superficial yards at 94,948. This exceeds by  $1,583\frac{1}{8}$  superficial yards the quantity given in the preceding statement, and on which the calculations in that statement are based. This addition of  $1,583\frac{1}{8}$  yards, at \$2 19 per yard, will add \$3,468 11 to the cost of the pavement executed by Mr. Pettigrew. The saving to the Corporation on this additional amount being \$6,825 36, and making the total saving on this job \$423,401 88.

#### BELGIAN PAVEMENT.

During the year embraced in this report, J. B. Morrell and James Humes, contractors, have completed 11,000 superficial yards of Belgian pavement in the Bowery extension, at a cost of \$2 11 per yard, amounting to the total sum of \$23,210.

These contractors have also completed 9,000 superficial yards of Belgian pavement in Lexington avenue, from Thirty-fourth to Forty-second street, at \$2 09 per yard, being equal to the sum of \$18,810.



In both cases, above referred to, the cost of the pavement is assessed on the adjoining property.

Charles Guidet, contractor, has laid down 9,148 superficial yards of Belgian pavement in Madison avenue, between Twenty-third and Forty-second streets, at \$2 04 per yard, amounting to the sum of \$18,661 92. This contract is not completed. When the work is done, one-half of the cost is to be paid by a general tax on the city, and the other half is to be assessed on the property benefited.

COMMISSIONERS FOR COPYING AND INDEXING THE RECORDS OF THE CITY AND  
COUNTY OF NEW YORK.

These Commissioners, in a communication dated June 26th, 1858, made application to the Board of Supervisors to add to the tax levy for 1858, the sum of three hundred thousand dollars. The communication making this request is in the following words, viz.

"I am directed by the Board of Commissioners of Records to request of your Honorable Body an appropriation for them in the tax list of this year, in the sum of three hundred thousand dollars.

" Respectfully yours,

" W. C. WETMORE,

" *Chmn. of Bd. of Coms. of Records.*"

This communication was referred to the Committee on Annual Taxes.

The Committee, in their report on the tax levy, did not include anything for the Commissioners for copying and indexing the records.

On the 27th of July, the Board of Supervisors adopted a resolution, requesting the Commissioners of Records to report to the Board " the amounts heretofore appropriated for the work under their charge; the amount expended; for what description of work paid; to whom paid; the proposals received by them from the persons who estimated for the work; a copy of the contract, with a specimen or sample of the work contracted for, and the amount necessary to fully complete the same."

On the 3d of August, the Commissioners of Records reported that the previous appropriations made amounted to the sum of five hundred and fifty thousand dollars, and that the expenditures, or sums for which certificates had been issued, amounted to \$570,141 54.

At the same time, the Commissioners sent to the Board of Supervisors, a copy of their report to the State Senate, and they add, that they have issued certificates upon the County Treasurer for expenses incurred by them, subsequent to said report to the Senate, dated March 17th, 1858, to the amount of \$54,512 39.

Previous to the confirmation of the tax levy, the Supervisors refused to add the sum of three hundred thousand dollars, but included in the tax levy the sum of fifty thousand dollars, for the use of the Commissioners of Records.

After the confirmation of the tax levy, and after the rate of tax was inserted in the several tax rolls, application was made to the Supreme Court, for a mandamus to compel the Supervisors to add the additional sum of two hundred and fifty thousand dollars to the tax levy. As this subject is one of great interest to the tax payers, it is proposed to give a brief history of such matters connected with preparing indexes to the public records, as are known to the Finance Department, from 1852 to the present time,

The following is taken from a communication made by the present Comptroller, to the Board of Aldermen, February 9, 1854, (see Doc. No. 16, 1854, Board of Aldermen, page 307):

"In November, 1852, a Committee of the Board of Supervisors made a contract with Arthur & Burnett and Collins, Bowne & Co., for indexing the records in the offices of the County Clerk, Register and Surrogate. It was estimated that the expenditures under this contract, would amount to two or three hundred thousand dollars. For this work, or a portion of it, (an index to the Records of the Register's office), an estimate was made by a competent person, on such data as could be obtained, which amounted to \$214,000. Mr. Banks, a well known and responsible publisher and bookseller, had an



estimate made, and offered to do the same work, in a substantial manner, for \$59,000. On looking at this matter, as I believe, in all its bearings, and examining the laws in regard to indexing and keeping records in the counties, I came to the conclusion, that the authority to make such a contract did not exist, and gave the contractors notice, that no further advances would be made until the courts had decided this question.

"On the 1st of August, 1853, the Board of Supervisors passed resolutions, sanctioning the surrender of the contracts, to be cancelled on settlement of the accounts by the Comptroller. These contracts are now in this department, and an appropriation has been made for the settlement, and for paying the clerks, who were employed by the Committee, in copying the records. (See page 162 of Doc. No. 17, in regard to tax levy of 1854.) The manuscripts, so far as they have not been printed, and the sheets which have been printed, will be delivered to the city when the settlement is made."

The sum of \$3,310 was appropriated for the purpose, and paid to Collins, Bowne & Co., and their contract was surrendered and cancelled; and the sum of \$2,343 80 was paid to clerks for copying records. The previous sums advanced to Wm. H. Arthur & Co. and to clerks for copying, made a total of about \$13,000.

After the surrender of these contracts, it was supposed that the large draft on the treasury, for performance of work at prices four times as much as it could be done for by the most substantial and reliable business firms in the city, would be prevented. It soon became evident, however, that those who had anticipated this fat job had given it up merely for the purpose of changing the scene of operations from this city to the capital of the state.

In the winter of 1855, a bill was introduced into the Legislature, and passed in April of that year, appointing Commissioners to perform the same, or similar services, which in the contracts of Wm. H. Arthur & Co. and Collins, Bowne & Co. were to have been done under the direction of a Committee of the Board of Supervisors. This act reads as follows:



*“ The People of the State of New York, represented in Senate and Assembly, do enact as follows :*

“ SEC. 1. Wm. C. Wetmore, Jonathan Nathan, Richard Busteed and Geo. P. Nelson are hereby appointed Commissioners of Records, for the city and county of New York, with full power to examine into the condition of the records, documents, maps and indices in the offices of the Clerk, Register and Surrogate of said city and county, and to have the same copied and printed in such form and to such an extent as they may deem proper, and to do such further acts for the preservation and convenient examination of the same as the public interest may require. Said Clerk, Register and Surrogate shall be *ex-officio* Commissioners, in reference to their respective offices.

“ § 2. The said Commissioners shall receive no compensation for their services. The necessary expenses incurred by them shall be paid by the county treasurer, upon the certificate of said Commissioners, and the Supervisors of said city and county are hereby authorized to raise by tax the amount required to defray the same.

“ § 3. This act shall take effect immediately.”

By the charter and the ordinances, no money can be drawn from the treasury, except on the warrant of the Comptroller, countersigned by the Mayor; and the Mayor and Comptroller cannot legally sign such warrant unless they are authorized to do so by a previous appropriation by the Common Council. The preceding law disregards all these barriers for the protection of the treasury, and provides that “ The necessary expenses incurred by the Commissioners shall be paid by the county treasurer upon the certificate of said Commissioners.”

The charter and the ordinances require that appropriations shall be made at the close of each year for the expenditures of the city and county for the subsequent calendar year; and these appropriations are made on detailed specific estimates from the several departments through the Comptroller, which estimates are submitted to the Common Council, are passed by the two Boards, and signed by the Mayor. The appropriations thus made and sanctioned by the acts of the legis-

lature form the basis of the tax levy of the year succeeding such estimate and appropriation.

No such formality seems to be required by the act above quoted; but without any submission to the Common Council, or any previous estimates of the required sums to be expended, the Commissioners, in the month of June or July, presented to the Board of Supervisors their requisition for one hundred thousand or three hundred thousand dollars, for what they deem necessary for the expenses of the Commissioners, unaccompanied by any detailed estimate showing the reasonableness of their demand.

In addition to the estimates required to be submitted to the Common Council, previous to an appropriation by that body, the charter and the laws require that all accounts in which the city or county is interested, either as debtor or creditor, shall be audited and settled by the Finance Department.

The law establishing the Record Commission excludes the Finance Department altogether from any charge of the expenditures under said law; and whilst it provides that the county treasurer shall pay, that payment is to be made on the certificates of the Commissioners, without any authority on the part of the treasurer to examine or audit the accounts on which the certificates of the Commissioners are based. This is the character and requirements of a law passed by the legislature in 1855, without any memorial from the Common Council, or any application from the tax payers, as is believed, under which the following sums have been drawn from the tax payers, and paid from the city treasury to the Commissioners, viz:

In the year 1855.....	\$50,000
In the year 1856.....	150,000
In the year 1857.....	350,000

In 1858, as before stated, the Commissioners applied to the Board of Supervisors to put into the tax levy the sum of three hundred thousand dollars, and that body has added fifty thousand dollars, which, if the collections of the taxes are made in the form in which the tax



books are confirmed, the whole sum paid by the city and county, including the year 1858, will be six hundred thousand dollars for indexing the records in the public offices.

It appears by a statement furnished to the Finance Department by the county treasurer, that the sum of \$550,000, heretofore raised by tax, has been paid as follows, viz:

Bowne & Hasbrouck, for paper, printing and work done..	\$341.581	15
McSpedon & Baker, for paper, printing and work done..	157,507	40
Insurance.....	2,302	50
Rents.....	1,475	00
Advertising.....	313	39
Copying and comparing.....	2,254	05
Copying maps.....	1,455	00
Sundries....	8,361	21
Salaries.....	29,275	45
Total.....	\$544,525	15

Other amounts have since been paid, which exhaust the whole sum of \$550,000.

The Comptroller has not heretofore alluded to the operations of the Commissioners for copying and indexing the records, for the reason, that none of their transactions were required by the law before quoted to be submitted to him. A controversy, however, has arisen between the Commissioners and the Supervisors, which threatens serious embarrassment to the operations of the treasury, and which justifies, if it does not require, the Comptroller to exhibit the peculiar position of the Finance Department in regard to the tax levy of 1858. There has already been borrowed by the Comptroller from the 1st of January to the 1st of September, 1858, the sum of \$6,628,550, in anticipation of the taxes of 1858. Of this large amount, the sum of \$2,400,000 has been made payable in the four months from September to January. The law requires that the tax books should be placed in the hands of the Receiver of Taxes on the 1st of September, and the operations in



the Finance Department have been based on the reasonable expectation that the tax rolls would be confirmed and ready for collection, according to the requirements of the law. After the tax rolls were confirmed by the Supervisors, the taxes extended by them, the warrants prepared, and most of the books returned to the Finance Department, the Commissioners of Records made application to the Supreme Court for a mandamus against the Board of Supervisors, using the name of McSpedon & Baker, as contractors in the complaint, for the purpose of compelling the Supervisors to add \$250,000 to the sum of \$50,000 which they had put in the tax levy. If this application of the Commissioners should be successful, it will be necessary to re-copy the entire rolls of the twenty-two Wards, and re-adjust the taxes against the name of each individual. The same thing must also be done in relation to the tax list against non-residents; and as the Tax Commissioners have made a separate book for the present year, containing an alphabetical list of all persons on the rolls charged with personal taxes, it will be necessary to re-copy and re-adjust the taxes on that list also. The delay occasioned by this litigation, and the time necessary to re-adjust with proper accuracy the several tax rolls referred to, must be attended with very serious inconvenience to the operations of the treasury, and may prove extremely detrimental to the interest and credit of the Corporation.

#### UNCLAIMED WARRANTS IN THE STREET DEPARTMENT.

The Street Department, under the act, chapter 86 of the Revised Laws of 1813, is clothed with important powers in relation to opening, regulating and grading streets, and the collection and disbursement of moneys on account of what are termed "trust funds." The usages of the Street Department, under this law, had acquired such force, that, although an act was passed in 1849, giving to the Croton Board the entire control of the construction and repairs of sewers, yet no separate appropriation was made to pay for the construction of sewers, until the year 1856, when an appropriation of \$350,000 was made for this object. Previous to that time, the payment for sewers was drawn from the appropriation in the Street Department, for

"Streets paving." The Comptroller, in Document No. 17, Board of Assistant Aldermen, page 146, in year 1854, called the attention of the Common Council to the absurdity, if not illegality, of this arrangement of the appropriation for the construction of sewers, and in 1856, when a separate appropriation was made, opened accounts with each sewer contract in the Finance Department, subject to the direct requisition of the Croton Board.

It will be seen by reference to Statement No. 12, which is a summary of the list of warrants deposited with the Chamberlain, and cancelled, that from 1833 to 1848, during the comptrollership of Talman J. Waters, Alfred A. Smith, D. D. Williamson and John Ewen, Esqrs., warrants were drawn on the Treasury Bank, payable to the person entitled to the award or other money, and in this form were placed in the hands of the Street Commissioner, to be paid out by that department. No money, therefore, was drawn from the treasury on the warrants now cancelled, and which are referred to in the list of which Statement No. 12 is a summary.

After the passing of the ordinance of December 30th, 1849, and during the comptrollership of Joseph R. Taylor, advances were made to the heads of the several departments, on open requisitions, of \$50,000, more or less, which sums were deposited in banks selected by the head of the department receiving the warrant, and were paid out from time to time on their checks as the claims on the departments respectively were presented.

Within three or four days after the present Comptroller entered on the duties of the office, in January, 1853, he was presented with a requisition from the head of one department for the sum of \$34,000, and from another for the sum of \$14,000, without any explanation in regard to the service rendered the Corporation to warrant these heavy drafts upon the treasury.

The Comptroller at once addressed notes to the heads of these departments, calling on them to furnish the names of the persons who were entitled to the money, to the end that warrants might be made



payable to the orders of the claimants respectively, and also that the objects of the expenditure might be furnished to the Finance Department. Extracts from this letter are given in Statement No. 13.

Under this rule of the Finance Department, the money could not be drawn from the treasury until the Chamberlain had the acknowledgment of the claimant that he had received his pay.

No money has been drawn from the treasury on account of the warrants for "Streets opening," for the various streets referred to, as given in Statement No. 12, although they were issued by the Finance Department and deposited with the Street Commissioner. According to the practice under the ordinance of 1849, the sums paid on the open requisitions of the several Street Commissioners and deposited to their credit in the banks selected by them, were withdrawn from the City Treasury on the warrants of the Comptroller, for the benefit either of the bank or the depositor—thus depriving the city of the use of the fund without paying its debt to the person entitled to the money.

In case of the failure of the bank selected by the Street Commissioners, before the payment of the money, the loss must fall on the city, for the reason that a fair construction of the 5th article of the Amendments to the United States Constitution, recommended by Congress, would require the city to show that it actually had paid the amount of the award to the rightful owner.

This is the consummation of the taking, by rendering to the owner that "just compensation," without which, says the United States Constitution, "private property shall not be taken for public use."

On the 9th of February, 1854, the Comptroller made a special communication to the Board of Aldermen, (Doc. No. 16,) in relation to a revision of the ordinances, in which among other things, the attention of the Common Council was called to abuses arising from the practice of placing money in the hands of the heads of the contracting departments to be deposited in their banks, and drawn on



their checks; and recommended the use of treasury warrants in all cases, so as to keep the money in the treasury until it went into the hands of the person who had earned or was entitled to it.

In that document the loose manner in which requisitions were used by the contracting departments, to draw money into the hands of the heads of such departments, to be disbursed on their checks, or retained for years in banks of their selection, was represented as objectionable and dangerous to the public interest; and even the practice of drawing warrants on the treasury, payable to the order of the person entitled to the money, and placing the same in the hands of the contracting department, to remain there from year to year until called for, was also objected to. Extracts from this communication are appended, marked No. 14. The whole may be seen by reference to Doc. No. 16, of Board of Aldermen, for 1854.

The Board of Aldermen referred this communication to a committee, but no further action took place in regard to it.

The alterations of Canal and Walker streets cost more than half a million of dollars. In paying these awards, the Street Commissioner, in May, 1855, made a requisition on the Comptroller for \$314,000, accompanied by a list of persons entitled to awards, as required by the rule established by the Comptroller, in January, 1853. On this list and requisition, warrants were prepared payable to the several persons named in the list of the Street Commissioner, which warrants were passed over to the Street Department, to be paid to the several persons having awards, as shown by the report of the Commissioners appointed by the Supreme Court. Such of these warrants as have not been called for appear in Statement No. 12, deposited by Mr. Cooper, the present Street Commissioner, in the hands of the Chamberlain.

Another requisition was drawn by the Street Department for the sum of \$26,000, which list embraced the over-payment of \$9,000 to Henry Erben. This is the requisition which Charles Turner, when he was before a committee of the Board of Aldermen, was very con-

ident he had never filled up or seen; whereas, when the requisition was discovered, it was found to be filled up in his handwriting, and signed by him as Acting Street Commissioner.

This matter is fully explained in a communication from the Finance Department to the Board of Aldermen, March 19, 1858.

On the 5th day of February, 1856, the Supreme Court confirmed the report of the Commissioners for making awards and assessments connected with the acquisition of lands for the Central Park. The ordinance prepared by Mr. Dillon, in this case provided that the Comptroller should pay the awards and keep separate accounts of all transactions connected with the Park. This was accordingly done, and thus the mode of paying awards was changed from the Street Department to the Finance Department.

In previous payments for lands taken for streets or parks, a simple receipt had been taken in the name of the Street Department for the sum paid. In the case of the Central Park, Mr. Dillon prepared a formal release, to be signed by the original owner of the property, and acknowledged before a Commissioner of Deeds.

In order to have an authentic record of the sum to be paid on each award, the Comptroller procured from the Clerk of the Supreme Court, a certified copy of the awards confirmed. As money was to be raised by loan, payment of the awards was not commenced until the 2d of April, 1856, although the law for the acquisition of the Park lands provided that payment should be made immediately. The department was also embarrassed with a provision in the law that the interest on the loan should not exceed five per cent.

Notwithstanding all these obstacles, settlements have been made to the amount of about five millions of dollars, leaving on the first of July, 1858, only about sixty thousand dollars of the amount of awards unpaid.

The manner of settlement and the mode of keeping the accounts have been carefully examined by a Committee of the Commissioners of the Sinking Fund, of which the Chamberlain, A. V. Stout, Esq., was chairman, whose report is annexed, marked No. 15.



In transferring the city funds from the Mechanics' Bank to the Shoe and Leather Bank, the Comptroller had a list made of the unclaimed warrants in the custody of the auditor, amounting to the sum of \$6,370  $\frac{28}{100}$ , and deposited these checks with the present Chamberlain on the 11th of July, 1856, who drew the amount of them from the Mechanics' Bank and credited the same to the city. At the time this was done, the Comptroller urged the officers of the Street Department to make out a similar list of the warrants held by that department, and to make a deposit of them with the Chamberlain, in order to have them cancelled and returned to the Finance Department.

A list of 986 checks and warrants was made out by the deputy in the Street Department and handed to the Comptroller; but the warrants were not deposited with the Chamberlain, and remained in the Street Department and under the control of the deputy, Charles Turner, until the period when Edward Cooper, Esq., was appointed Street Commissioner.

As soon as Mr. Cooper had time to examine into the character and condition of these warrants on the treasury, and the numerous checks issued by his predecessors on various banks where they kept their accounts respectively, he consulted the Mayor and Comptroller in regard to the manner of disposing of these warrants, and it was determined that triplicate lists should be made of all the warrants drawn by the Finance Department, and separate lists of the checks made by the several street commissioners, and that the whole should be deposited with the Chamberlain, who should retain one of the lists, and should give duplicate receipts on the other two lists, one of which should be filed in the Street Department and the other in the Finance Department.

In this arrangement, the treasury warrants were to be credited to the city by the Chamberlain, and simultaneously charged to the same account, the warrants cancelled by him and returned to the Finance Department.

The checks of the respective street commissioners on the several banks were payable to the order of the claimant. These checks, therefore, were endorsed by Mr. Cooper, as Street Commissioner, pay-



able to the Comptroller; the latter officer endorsed them payable to the Chamberlain, and he endorsed them as Chamberlain, guaranteeing the whole transaction as President of the Shoe and Leather Bank.

In this manner the amounts of the several checks were collected, and placed to the credit of the city treasury, with the exception of the sum deposited in the Bowery Bank, as stated in the Chamberlain's letter of Sept. 10, a copy of which is annexed and marked No. 16.

The amount actually received and credited to the city treasury is \$4,562 29. It will be seen by this letter that the Chamberlain found a credit on the books of the Broadway Bank to John T. Dodge, as Street Commissioner, of \$90  $\frac{51}{100}$  for which he had no check; he, however, drew this sum on the guarantee of the Shoe and Leather Bank, and credited the amount to the city.

A book has been procured in the Finance Department, in which a full history of all the unclaimed checks and warrants will be recorded, giving the names of the persons in favor of whom each check and warrant was drawn, the amount and number of the original warrant, the street or title of the job on which the warrant or check was based, and every particular necessary to enable the owner or his heirs or assigns to establish a claim on the treasury, and when this is done, a new warrant will be drawn on the treasury, payable to the order of the person who establishes his right to the claim. These lists can be examined at the Finance Department by any person having an interest in them.

The following shows the names of the several street commissioners by whom the checks were drawn, and the total amount in each case:

Checks drawn by John Ewen .....	\$246 91
“ Samuel S. Doughty .....	3 40
“ Elias L. Smith .....	33 38
“ Martin E. Thompson .....	67 40
“ John T. Dodge .....	2,473 84
“ James Furey .....	2,570 34
Total .....	<u>\$5,395 27</u>

These checks were drawn on the following banks, viz:

Mechanics' Banking Association.

Mechanics' Bank.

Pacific Bank.

Broadway Bank.

Bowery Bank.

Seventh Ward Bank.

Nassau Bank.

Among the checks drawn by John T. Dodge, as Street Commissioner, there was found one for the sum of \$229 88, dated July 28, 1852, payable to the order of C. V. S. Kane, on account of money for sale of 1841. This is numbered 1296 of the Street Commissioner's checks. The executrix of Mr. Kane having seen the publication of this check, made application for the delivery of it to her. On examining the sales-book, in the office of the Street Commissioner for 1841, it is found that a settlement was made with Mr. Kane, in his lifetime, when he surrendered the certificate of sale for the property which was bid off by Mr. Lovett, and on which occasion he gave a receipt for the sum of \$232 03, specifying in the receipt that it was paid by a check of the Street Commissioner, No. 2881. It appears by reference to the Auditor's books, that at the time this receipt was given, a treasury warrant was issued to the order of John T. Dodge, Street Commissioner, for \$232 03, being the exact amount shown by the receipt of Mr. Kane. The treasury warrant, however, does not show any other than the endorsement of John T. Dodge, Street Commissioner, thus showing that there was nothing in the Finance Department to prove that payment had been made to Mr. Kane, the person entitled to the money, notwithstanding the amount to which he was entitled had evidently twice been paid from the treasury to the Street Department, as shown by the two checks of Mr. Dodge before referred to.

In this case, the original check issued ought either to have been paid to Mr. Kane, or if a new check was drawn on the treasury for the same object, the check of Mr. Dodge, in the hands of Mr. Turner, ought to have been returned to the treasury and cancelled.



This case forcibly illustrates the importance of the rule established by the Comptroller, in January, 1853, which was the practice of former Comptrollers previous to 1849, of making all treasury warrants for payments on streets opening or streets paving, payable to the order of the person who was the owner of the claim.

Applications have been made for several checks, similar to the present case, and it has been found, in every instance, that the matters had been settled, and nothing was due to the claimant.

This shows the absolute necessity of a thorough examination, in every instance, before payment is made.

It is proper to state, in this connection, that when Mr. Cooper found the mass of old checks and warrants in the Street Department, extending back, in several cases, for twenty-five years, he immediately set on foot an arrangement, which not only got rid of the old warrants issued on "trust accounts," but also relieved the department and its bureaux from all disbursements of money on any account. To effect this object, he submitted to the Mayor, and heads of departments, a plan prepared by his deputy, Mr. Smith, for having all payments made by the Comptroller or Chamberlain, on the requisition of the head of the Street Department, accompanied by the detailed vouchers required by the charter. This plan was approved at a meeting of the heads of the executive departments, at the Mayor's office, June 21st, 1858, and has since been put into practical operation.

#### VALUATION OF REAL AND PERSONAL ESTATE IN THE CITY AND COUNTY OF NEW YORK, FOR 1858.

STATEMENT No. 17, shows the valuation of real estate in the several wards for the years 1857 and 1858; also the total amount assessed on the personal property of the city and county for the same years.

Total amount of real estate in 1858.....	\$368,346,296
Total amount of real estate in 1857.....	352,343,033
Increase in valuation of real estate of 1858 over 1857..	<u>\$16,003,263</u>



Valuation of personal estate for 1858 .....	\$162,847,994
Valuation of personal estate for 1857 .....	168,216,449
Decrease in valuation of personal estate of 1858, when compared with 1857 .....	<u>\$5,368,455</u>

The office of Ward Assessors was abolished by the act, chap. 677, of the Laws of 1857. The law referred to provides for the appointment, by the Board of Supervisors, of three Commissioners of Taxes and Assessments, and these Commissioners are to appoint twelve deputy tax commissioners; and the officers thus constituted are to make all assessments of real and personal estate for the several wards of the city. In making up the rolls of assessments for the present year, the Commissioners of Taxes have prepared an alphabetical list of all persons assessed for personal property, separate from the tax rolls of the several wards.

There is, therefore, no statement which shows the amount of personal tax in each ward, as was the case in former years, when the rolls were made up by the ward assessors. As it is not practicable to show the decrease in each ward of personal assessments, the total diminution, therefore, in the whole city, is given in the statement referred to above.

#### CLAIMS OF THE CORPORATION FOR UNPAID ASSESSMENTS AND TAXES.

In the annual report of the Comptroller for 1855, page 106, the attention of the Common Council was called to the condition of unsettled claims for assessments and taxes, connected with sales made in 1843, and previous, which were declared to be void. It was stated in that report, as follows:

“In the years 1846-7, it was decided by the Supreme Court, and confirmed by the Court of Errors, that the notices given for the redemption of lands from assessment and tax sales, were defective as to time, and that the sales were void. In consequence of this decision, the Common Council, in February, 1848, passed an ordinance, requiring the Comptroller to refund to the purchasers, at all such sales, the

sums paid by them respectively, with interest thereon, at the rate of seven per cent., together with the expenses of executing and recording the leases.

“In the Comptroller’s report of 1848, it was stated, that the number of parcels sold for assessments, and not redeemed, was 2,674, and the number of parcels sold for taxes, unredeemed, 460, making a total of 3,134 parcels.

“Although the purchasers of these parcels, at the sales, received their money back, the lien of the Corporation was not removed or relinquished; on the contrary, suits were commenced to test the right of the Corporation to enforce the payment of these assessments and taxes. It has been determined by the Superior Court of this city, and by the Supreme Court of this judicial district, that the Corporation has an undoubted right to enforce the lien for these assessments and taxes against the premises; and these decisions have been fully confirmed by a recent decision of the Court of Appeals.

“It is obviously for the interest of the owners of these numerous parcels, that the sums in arrear should be collected by a re-sale, rather than by suit; but, as there is no escape from the payment of these arrearages, the owners will do well to pay, and save even the cost of advertising. The opinions of Messrs. Dillon and O’Conor, as to the authority of the Finance Department to collect the sums in arrear, by a re-sale of the premises, complying with the terms of the laws, as expounded by the courts, have been obtained and printed, for the examination of those who are interested in the question.”

Copies of the opinions of Messrs. Dillon and O’Conor were given in the Comptroller’s Annual Report for 1855, at pages 107 to 110.

In 1856, a sale of the premises in question was advertised, and a sale took place in June of that year. The amount received in cash at the time of the sale was \$13,104 66, and in July there was received on assignments made by the Clerk of Arrears, under a provision of the law, \$13,566 10, being a total of cash receipts, \$26,670 76.



The amount of the original assessment, without the addition of interest embraced in the advertisement, was \$231,861 40. The sales under that advertisement were limited to those cases where the money had been returned to the original purchaser by the Comptroller and to the lots held by the city, which had been bid in at former sales.

Statement No. 18 has been prepared by P. H. Kingsland, Assessment Clerk, showing the settlements which have been made by the surrender of certificates of sale and leases, from 1854 to the present time. In consequence of the small number of parcels bid off at the sale, a large number of lots were bid in for the city. In many cases, the owners of the land on which the assessment was originally laid had obtained possession of the certificate of sale or lease, and on surrendering these documents to the Bureau of Arrears, the whole matter was settled and the lien canceled.

Total amount of liens canceled by surrender of certificates and leases was.....	\$41,235 50
Paid in cash on settlements with the Finance Department since 1853.....	47,768 72
Compromised on resolution of Common Council and by the Comptroller on payment of the original assessment.....	15,131 60
Canceled by the Common Council.....	2,019 31
Total amount settled.....	<u>\$106,155 13</u>

Leaving \$125,706 27 of the amount advertised for sale yet unsettled.

Legal proceedings ought immediately to be taken against the persons who have thus far neglected to pay their assessments, and compel them to surrender their leases where they have them, or pay their assessments. This is necessary to prevent losses to the city.

#### ARREARS OF TAXES.

In each year large sums are assessed on individuals on account of personal taxes, which are not paid and cannot be collected. The ac-



cumulation of arrearages of this character, as shown by a statement of the Receiver of Taxes, which is annexed, marked No. 19, to the 1st of July, 1858, amounts to the large sum of \$1,545,269 93.

The balance unpaid of the personal tax in the levy of the year 1857, is \$407,217 38. The unpaid personal taxes for years previous to 1857, exceed one million of dollars, the principal portion of which will never be collected.

The sums unpaid on arrears of personal taxes are not returned to the Bureau of Arrears, but remain in the hands of the Receiver of Taxes, to be collected by him.

The unpaid taxes on real estate are returned by the Receiver of Taxes to the Bureau of Arrears, on the 1st day of June, in the year succeeding that in which the levy is made.

The amount returned on the first of June last as unpaid was \$739,061 09. This amount, added to the arrearages on the personal tax, makes a total deficiency on the levy for the year 1857 equal to \$1,146,278 47.

Statement No. 20, annexed to this report, shows the amount of arrears returned to Augustus Purdy, Clerk of Arrears, from 1843 to 1857, inclusive. The aggregate amount of arrears contained in this statement is equal to \$2,309,870 17.

The collections made by Augustus Purdy, Clerk of Arrears, on the foregoing sum returned to him, amount to \$822,978 33, leaving a balance uncollected of \$1,486,891 84; add to this the balance outstanding on account of arrears of personal tax, \$1,545,269 93, and it makes a total amount of arrears on taxes on the 1st of July, 1858, equal to \$3,032,161 77.

The same statement shows the amount of arrears returned for each year from 1841 to 1857, and the amount collected by Augustus Purdy for each of those years.

The state tax, at the present time, for the support of the state government and schools, is equal to three mills on each dollar of valuation. The assessment of personal taxes beyond the amount which is collectable from year to year, operates disadvantageously to the city treasury, inasmuch as all assessments not based on actual values operate as a charge of three mills on the dollar to be paid by the city into the state treasury, for which nothing is received in return; it is, therefore, very important that the Tax Commissioners should scrutinize with great care the pecuniary condition of those who are assessed for personal taxes; whilst it is necessary to establish a system of equal taxation by assessing each individual for the fair amount of his pecuniary means, all fictitious or unreal estimates of personal property occasions a serious drain on the city treasury. In the year 1855, an act was passed (chap. 57,) which requires an assessment to be made on non-residents doing business in the city. In the years 1855, 1856 and 1857, taxes were levied on non-residents to the total amount of \$700,157 58; of this sum there remained unpaid on the 1st of January, 1858, the sum of \$215,254 11. The treasury not only suffers by the non-payment of this large amount, but is compelled to pay over to the state treasury several thousand dollars on account of its quota of the three mill tax paid for state purposes.

The delinquency on account of non-residents is only a small portion of the arrears of personal taxes uncollected and uncollectable. The preceding statement of the Receiver of Taxes shows that the total amount of arrearages of personal taxes, including those of non-residents, amounts to the large sum of \$1,545,269 93; of this sum, the Receiver of Taxes considers it probable that not more than one-third will ever be collected, showing that a sum exceeding \$1,000,000 is probably a dead loss to the city.

The statements contained in No. 20 were prepared by J. C. Pinckney, from the books kept by him. Appended to the same document is a statement showing the amount of taxes uncollected for the years from 1833 to 1842, inclusive, principally personal tax, and is supposed to be uncollectable. The total amount for these years is \$102,225 16.



Statement No. 21 shows the total amount of the tax levy in each year from 1850 to 1858, both inclusive, and also the total amount of arrearages of tax on real and personal estate uncollected on the 1st of June subsequent to the year in which the levy was made. It will be seen by this statement, that the tax levy has increased from \$3,230,180 47 in 1850, to \$8,621,091 31 in 1858, and that the sums unpaid at the end of about twelve months after the levy have increased from \$204,914 77 in 1851, to \$1,041,967 55 in 1858.

**ARREARAGES OF ASSESSMENTS RETURNED TO THE BUREAU OF ARREARS.**

The seventh section of the act of July 20th, 1853, establishing the Bureau of Arrears in the Finance Department, declares that the Street Commissioner shall make a detailed return to the Clerk of Arrears, of all sums remaining unpaid on assessments which had been due twelve months at the date of the passage of the law before referred to, and thereafter to make similar returns of all unpaid assessments, twelve months from the date of the confirmation of each assessment. By the same section, the Street Commissioner is required to charge the amount of arrearages on each assessment so sent to the Bureau of Arrears, and notify the Comptroller of the "aggregate amount of arrears of each assessment."

The official statements required by this section were not made by James Furey during his term, although the Clerk of Arrears was allowed access to the books in the Street Department. The Clerk of Arrears made demands on the Street Commissioner for the official returns, as he was required to do by the eighth section of the act before referred to.

After Joseph S. Taylor entered upon the duties of Street Commissioner, the Comptroller called on him for the aggregate amount of arrearages on each assessment roll; and on the 22d December, 1856, Mr. Charles Turner, Deputy Street Commissioner, handed to the Comptroller a list purporting to be the arrearages on seven hundred and eleven assessment rolls. This list was not signed either by the Street Commissioner or his deputy. When this list was received, the



Comptroller caused it to be copied into a book, in which had been entered, from year to year, the returns of arrearages of the amount of taxes on real estate by the Receiver of Taxes, and the arrearages of Croton water rents.

The Comptroller directed accounts to be opened with the arrearages on each of the assessment lists returned by Mr. Turner, and also with subsequent lists that have been returned from time to time. Including the arrearages on the rolls returned by Mr. Turner, accounts with upwards of one thousand assessment lists have been opened, showing an aggregate amount of arrearages to June 30th, 1858, of \$1,716,395 83. The payments on these several accounts have been posted up, by which it appears that the sums paid on the arrearages of assessments to the Clerk of Arrears, amount to the total sum of \$567,781 56, leaving a balance uncollected of \$1,148,614 27; the amount of interest collected on these arrearages is \$120,684 23, and for advertising, the sum of \$126.

A number of errors have already been ascertained in the returns of Mr. Turner. In one case, of Eighty-fourth street, the returns seem to be duplicated, but the total amounts differ.

The Comptroller directed accounts to be opened, containing the amounts, as returned by Mr. Turner, to be corrected when the means of correction were obtained. The present Street Commissioner has commenced a thorough examination of all these accounts, and the results of such examination will probably enable the Finance Department to correct from an official statement many of the accounts now entered on the book.

In regard to the arrearages subsequently returned, questions have arisen as to the legality of the assessments, and it is supposed that a very considerable amount of the large balance outstanding will be lost in consequence of irregularities and frauds in contracts or assessments.

The manner in which these accounts are kept may be seen by Statement No. 22.

The ledger account referred to in No. 22, is limited to the arrearages of assessments.

The ordinance of December 30th, 1854, provides for making advances on monthly estimates on all contracts which exceed \$10,000. To meet these payments, the Comptroller was authorized to issue assessment bonds, and he was also authorized to pay the contractors, and to charge seven per cent. interest, from the date of these advances, reserving thirty per cent. until the confirmation of the assessment roll. The provision of this ordinance renders it absolutely necessary to keep an accurate account of these payments, and the Comptroller directed that books should be opened in the Finance Department for making these entries, and accordingly a book was opened, called a "General Advance Ledger." This ledger embraces what are termed seventy per cent. contracts, from the commencement of 1855.

The manner in which the entries are made upon seventy per cent. contracts, is as follows:

We charge a general account called "*advances*," and credit the *contractor* with the total amount of work done, according to the Street Commissioner's and Surveyor's certificate. We then charge the *contractor* with the seventy per cent. advanced, and debit the account called "*advances*," with the same amount. Upon the completion of the work, there will stand to the credit of the *contractor* the balance (thirty per cent.) due him. Interest is charged upon the advances, and proper entries made in the same manner.

In settling for contracts under \$10,000, which are payable upon the confirmation of the assessment, it became desirable to know in the Finance Department the amount allowed, not only to the contractor, but to the surveyor, inspector, and other persons, and the Comptroller directed that all the confirmed assessments, whether under \$10,000 or over, should be transcribed to a ledger which was procured for this purpose. The manner in which this ledger is kept is shown by Statement No. 23.

The summary contained in this ledger entry was made the basis of



settlement with the contractor and others. When it was ascertained that a forgery had been perpetrated in relation to one of these confirmed assessments on the ledger, adding \$10,000 to the amount, which was paid to the contractor, all the entries of assessment rolls, for three years, from 1855 to 1857, inclusive, on these ledgers, were carefully scrutinized and compared with the original assessment rolls of the assessors, and the transcripts on the ledger being 568 in number, amounting to \$1,829,907 91, were found to be correctly transcribed, except in the one instance before referred to.

It will be seen by reference to No. 23, that this ledger account embraces not only a summary of the amounts allowed to contractors and others on the assessment list, but shows also the payments of the Collector of Assessments to the Chamberlain, as returned to the Finance Department from the Street Department, and also the arrears to be returned and collected by the Bureau of Arrears.

The preceding statements show that the amount of arrearages for taxes and assessments, to be collected by the sale of the real estate, if not paid without such sale, is very large, and is already causing embarrassment to the operations of the treasury.

The amounts returned to the Bureau of Arrears, over and above the sums collected by it, are as follows, viz :

Arrears on account of unpaid taxes on real estate.....	\$1,486,891 84
“ “ “ assessments.....	1,148,614 27
	<hr/>
Total arrears of taxes and assessments.....	\$2,635,506 11
	<hr/>

This does not include \$1,545,269 93 of personal taxes, remaining uncollected in the Bureau of the Receiver of Taxes, and which is not returned to the Clerk of Arrears—thus showing a grand total of arrearages equal to the sum of \$4,180,776 04.

There has been no sale for taxes and assessments since 1853, except a re-sale of assessments in 1856 of the sales which were declared void



in 1846, in consequence of imperfect notices. By the act of 1853, in regard to the collection of taxes and assessments, it is provided that no sale of real estate shall be made until the expiration of three years after the tax or assessment becomes due. It is desirable that a tax sale should be made without delay, and that an assessment sale should take place as soon as the assessment accounts in the Street Department are satisfactorily arranged, and the notices to delinquents, which it has been considered necessary to give, have been served.

These notices are now being served, and, as before stated, the present Street Commissioner, Mr. Cooper, is having a thorough examination made of the return of arrearages, so as to ascertain the sales which can legally be made.

A statement of assessments on the Corporation from 1853 to the present time, has been prepared so far as the arrears of assessments have been returned to the clerk of arrears in the Finance Department, which amounts to the total sum of \$141,760 58. The assessment lists making up this sum are for opening, regulating, grading and paving streets, constructing sewers and other work done by assessment on the property benefited. This amount includes only the original assessment in each case, without including anything for interest, and the same has been paid to the clerk of arrears, who has deposited the amount with the Chamberlain, and will diminish to this extent the arrearages of assessments given in this report.

#### **ARREARS ON ACCOUNT OF STREETS OPENING.**

*Confirmed by the Supreme Court.*

Statement No. 24 shows the amount of arrearages returned to the Bureau of Arrears from the Street Department on account of streets opening, and also the sums collected by the Clerk of Arrears, and the balances remaining unpaid up to the first day of October, 1858. The aggregate amount returned to the Bureau of Arrears, as shown by this statement, is \$670,964 12, the total amount collected by him is \$273,986 58 ; deduct the amount collected by him on assessment rolls not returned by Street Commissioner of \$244 10, a balance will be shown due the Corporation of \$397,221 64.

The items embraced in this statement are shown under the head of Arrearages of Assessments returned to the Bureau of Arrears. (Page 42.)

This statement does not embrace the large amount of arrearages on the Central Park, the assessment roll not having been returned to the Bureau of Arrears.

In the opening of Duane street the amount of assessments confirmed by the Supreme Court, is.....\$272,053 00

The collections made by Isaac Edwards and his deputies, as shown by payments to the Chamberlain, is.....\$196,341

The amount returned to the Bureau of Arrears..... 64,071—\$260,412 00

Which shows a balance against the collectors of.....\$11,641 00

In the opening of Eleventh avenue from Forty-eighth to Fifty-ninth streets, the amount of assessments, as confirmed by the Supreme Court, is.....\$21,586 00

The collections made by Isaac Edwards and his deputies, as shown by payments to the Chamberlain, are.....\$11,791 00

The amount returned to the Bureau of Arrears..... 7,349 00—19,140 00

Balance against collectors..... \$2,446 00

In the opening of Fourth avenue from Thirty-fifth to One hundred and thirty-eighth streets, the amount of assessments, as confirmed by Supreme Court, is.....\$219,091 00

The collections made by Isaac Edwards and his deputies, as shown by payments to the Chamberlain.....\$143,743 82

The amount returned to the Bureau of Arrears..... 75,000 60—218,744 42

Balance against collectors.....\$346 58



The accounts of Isaac Edwards and his deputies have been for a long time under examination before a referee, and a balance has been reported in their favor of \$26,000. The discrepancy between the receipts and payments on the lists mentioned above, will diminish the collectors' claim \$14,443 58. The examination now going on, it is supposed, may disclose other discrepancies of a similar character. Several receipts of the deputy collectors have also been presented to the Clerk of Arrears and to the Street Department, showing payments to the collectors which have not been paid into the treasury; there are several receipts on opening Walker street and Fourth avenue, amounting in the aggregate to the sum of \$3,758.

There are several small discrepancies besides those before alluded to, the most prominent case is that of the Bowery extension, which was placed in the hands of J. R. Taylor and his deputies for collection. It appears, upon an examination of this case, that the collectors received \$19,766 more than they paid to the Chamberlain. This item forms a part of the large defalcation reported to the Common Council by the Street Commissioner, Edward Cooper, Esq.

#### RECEIPTS BY THE COLLECTOR OF CITY REVENUE.

Statement No. 25 shows the receipts by the Collector of City Revenue for the twelve months preceding July 1st, 1858. The total sum received by him, as shown by that statement, is \$446,863 82. From the date of his (J. Rose) appointment as Collector of City Revenue, September 8th, 1853, to July 1, 1858, he has collected and paid into the treasury \$2,130,261 71.

#### LAW EXPENSES OF THE CORPORATION.

The sums paid from the Treasury for law expenses for the twelve months preceding the 1st of July, 1858, have been very large. The following sums have been paid for the object named in connection with each amount, viz:

For law expenses incurred by Mayor Wood.....	\$10,000
For law expenses incurred by the Police Commissioners.....	16,550
For law expenses incurred by D. D. Conover.....	13,800
Total.....	<u>\$40,350</u>



The appropriation of \$10,000, to pay the expenses incurred by Mayor Wood, in connection with the litigation in regard to the Metropolitan Police Law, &c., was included in the ordinance of the Common Council and in the Tax Law of 1858, being one of the items in that law of the arrearages of 1857.

After providing in the Tax Law for the payment of \$38,278 95 for the salaries of D. D. Conover and his employees in the Street Department, that law provides for the payment of the law expenses of Mr. Conover and the Police Commissioners, as given in the following sections of the Tax Law, viz:

“And also, the further sum of thirteen thousand eight hundred dollars, towards defraying the expenses incurred by said Conover in various proceedings at law.”

“The Comptroller of said city shall draw his warrant in favor of said Conover to pay himself and each and all of his subordinates for salaries, upon the sworn certificate of said Conover of the time and employment by himself and each of his employees. The Comptroller shall also draw his warrant in favor of said Conover for the further sum of thirteen thousand eight hundred dollars, to reimburse him for legal expenses incurred in the various proceedings at law arising out of the controversy relating to the Street Department.”

“And also, the further sum of sixteen thousand five hundred and fifty dollars, by tax, on the estates, real and personal, subject to taxation according to law, within the said city and county, and to be collected according to law, to be applied towards defraying the expenses incurred by the Board of Police for the Metropolitan Police, in various proceedings at law, and the said sum to be disbursed upon the order and receipt of the treasurer of the said Board of Police.”

The Comptroller did not include in his estimate any portion of the above sum of \$40,350, nor did the Counsel to the Corporation certify the law expenses in any of the three cases above referred to. Payment was made in these cases on the authority of the several sections in the Tax Law, as stated above.

The names of the several persons to whom the amount allowed in the preceding section for the expenses incurred by Mr. Conover, are given at page 68, of the Auditor's Report for the quarter ending June 30th, 1858, and the names of the several persons who received the amounts on account of law expenses of the Police Commissioners.

The amount paid on account of law expenses for the twelve months preceding the 1st of July, 1858, on certificates of the Counsel to the Corporation, is as follows, viz:

From July 1st to December 31st, 1857 .....	\$3,750 00
From January 1st to June 30th, 1858 .....	13,041 66
Total .....	<u>\$16,791 66</u>

The sum of \$13,041 66 for the six months of 1858, has been paid from the appropriation for city contingencies, the Common Council having struck from the estimate presented by the Comptroller a larger sum for the law expenses of the Counsel to the Corporation. Section 18 of the ordinance regulating the Law Department provides that the Counsel to the Corporation shall have the exclusive authority "to employ additional counsel to aid in the trial or argument of causes or proceedings of importance, in which the city may be a party interested."

This ordinance passed on the 30th of June, 1857. Previous to the adoption of this ordinance, extra counsel was employed by the Corporation Counsel, with the consent of the Mayor and Comptroller.

The names of the several persons to whom extra counsel fees have been paid in the year 1858, are given in Doc. 12, Board of Councilmen, from page 6 to 24, among the items of payments on account of city contingencies.

#### CASTLE GARDEN.

*French & Heiser agst. The Mayor, Aldermen and Commonalty.*

A. R. LAWRENCE, Jr., for the Corporation.

Upon the expiration of the lease of Messrs. French & Heiser, of the Castle Garden property in 1854, the lessess claimed the right to re-



move the stage, benches, gas fixtures, decorations, &c., which had been put up by them during the term of their lease. They were proceeding to make such removal when the Corporation obtained an injunction restraining them from doing so. The suit was subsequently discontinued by the Corporation Counsel. Messrs. French & Heiser then brought an action in the Supreme Court against the city to recover the value of the articles which they alleged they had been illegally prevented from removing. The case was tried in January, 1857, before Judge Davies, when a verdict was taken in favor of the plaintiffs for \$4,400, subject to the opinion of the Court at a General Term. The cause was argued at the General Term of the Supreme Court in May last, and subsequently the court set aside the verdict, and ordered a new trial. The case presented an interesting question as to the construction of the covenants of the lease, and the opinion of the court is therefore annexed. (See Statement No. 26.)

#### PAY OF THE CENTRAL PARK POLICE.

*Henry C. Acker vs. The Mayor, &c.*

On the 21st of May, 1856, the Common Council passed an ordinance providing that until the further action of the Legislature the Central Park should "be under the control and management of a Board of Commissioners, to consist of the Mayor and Street Commissioner, who shall be termed Commissioners of the Central Park."

The ordinance also provided that the said Board should have power to govern, manage and direct the said Park; "and to appoint *such gardeners, engineers, surveyors, clerks and laborers as may be necessary* to prescribe and define their respective duties, and the amount of their compensation *to be fixed by the Common Council.*"

By virtue of this ordinance, Fernando Wood and Joseph S. Taylor (then Mayor and Street Commissioner) assumed the right to appoint, and did appoint, a police force of between thirty and forty men, termed the Central Park Police. No resolution or ordinance was passed by the Common Council fixing the salaries of these policemen;



but an appropriation was inserted in the Tax Law for 1857, sufficient to cover their salaries at the rate allowed to municipal policemen up to January 1st, 1857, and from that appropriation the men were paid to that date.

The Comptroller having refused to pay the men after the 1st of January, 1857, several suits were brought against the city by them to recover pay at the rate allowed by law to municipal policemen. This was made the test case, and was appealed from the Marine Court, where judgment had been given against the Corporation, to the General Term of the Court of Common Pleas. The other cases, it was stipulated, should abide the decision of the Court of Common Pleas in this suit. The case was argued at the June Term by Mr. A. R. Lawrence, Jr., Assistant Corporation Counsel, for the appellants, and by Mr. Stilwell for the respondent.

The appellants' counsel contended that the appointment of the respondent and others was void, inasmuch as, 1st, the ordinance gave no power to the Street Commissioner and Mayor to appoint policemen; and, 2d, that if the appointment was valid, the salary of the men should have been fixed by the Common Council. The Court decided in favor of the appellants on both grounds, and reversed the judgment of the Marine Court. After the commencement of this action, the Legislature made an appropriation in the Tax Law of 1858, for the Central Park employees, in which was included the sum of \$7,623 44 to pay Central Park Police, and from that amount the policemen were subsequently paid; but, by the reversal of the judgment obtained in the Marine Court, a large amount of cost has been saved to the Corporation.

#### **CONTRACT IN EIGHTY-THIRD STREET, BETWEEN THIRD AVENUE AND AVENUE A.**

Statement No. 27, annexed to this report, is an important decision of the Superior Court, in a suit commenced by James B. Brady against the Mayor, &c., of the city of New York, for setting curb and gutter stones and laying flagging on both sides of Eighty-third street,

between Third avenue and Avenue A, and re-setting the old curb and gutter, and re-laying the old flagging where necessary.

In this case, a contract which was awarded to the lowest bidder, as was supposed, at \$3,709, was increased in the assessment roll to the sum of \$28,746. The opinion of Judge Woodruff in this case, declaring the contract void, is important to contractors as well as property holders.

#### CLERKS AND ACCOUNTS IN THE FINANCE DEPARTMENT.

The frauds perpetrated and the false entries made in the books of the Finance Department by a clerk who at the time possessed the confidence of the Comptroller, has been used in various forms, with a view of impairing the confidence of the public in the fidelity of other clerks in that department to whom important trusts are confided.

Indeed, it was more than intimated in the examination before the Recorder, that J. B. Smith and his associates, in the charges made by the Comptroller, were the victims of a combination among the clerks in the Finance Department.

A few facts will show, not only the great injustice of these insinuations, but will also assure those who are interested to know, that with the solitary exception before referred to, their business is entrusted to clerks who are honest, capable, and faithful.

The aggregate cost of the lands acquired since the 5th of February, 1856, for the Central Park, the Croton Reservoir, the Bowery extension, opening the First avenue, and the widening of Cliff street, exceeds six millions of dollars.

The payment of awards in all these cases was confided to A. S. Cady, and settlements were made by him, under the direction of the Comptroller. In all these five cases, certified copies of the awards were procured from the clerk of the Supreme Court, as the same were confirmed, instead of making payments on memoranda



from the Street Department, as had always been done previous to the 5th of February, 1856.

During the last two years and a half, Mr. Cady has settled awards in the several cases referred to—the number and amount of which are shown in the following statement, viz:

<i>Payments.</i> —Opening Central Park.....	\$5,013,479 89
“ New Reservoir.....	521,363 42
Bowery extension.....	511,306 54
Opening First avenue.....	68,031 22
Widening Cliff street.....	6,749 32
Total.....	<u>\$6,120,930 39</u>

In making settlements of awards in the foregoing cases, Mr. Cady entered in a book the several items embraced in each settlement. The several awards, making up the aggregate of \$6,120,930 39, have been carefully compared with the settlements thus recorded, by Richard A. Storrs, and are found to agree, except in two cases: one of these is an overpayment of thirty dollars to a person who claims as an offset from the city a large sum on account of unpaid interest: the other was an overpayment of \$400 in stock to Maria A. Moore, who had an award of \$2,140, the particulars of which are stated in the last Annual Report of the Comptroller. This person has been called on to return the 5 per cent. stock to the Corporation; but she states the stock was transferred immediately to a third party, and she is not able at present to repay the amount.

In two reports purporting to have been made by the Joint Committee on Accounts, reference is made to the unsatisfactory condition of the accounts in the Finance Department of the real estate of the city.

In the early part of the year 1854, the “Comptroller’s clerk,” A. S. Cady, to facilitate his operations in the discharge of the duties devolved on him in relation to real estate, which, by the ordinance of



1844, is declared to be in the custody of the Comptroller, prepared a real estate ledger, which has been completed at great labor, in which an abstract is given showing the following particulars in relation to each piece of property owned by the city, viz: The derivation of the title, the date and the original cost of purchase, a diagram showing the location, and the ward map number.

This book has proved to be indispensable in the Finance Department in connection with all questions in regard to taxes, assessments, and other cases where it was necessary to know what the interests of the Corporation were, and it has been found of material aid to other departments where they were connected with the construction or use of buildings required by the Corporation.

As a companion to this real estate ledger, an atlas, consisting of twenty-three maps, was prepared by John J. Serrell, embracing the whole island of New York, which shows all the real estate of the city, including all the piers and slips, designating those which belong to the Corporation, showing also the localities where water grants have not been issued.

In addition to the foregoing, detailed estimates of the location, character and value of all the real estate were prepared by direction of the Comptroller, and published in the Annual Report for the year 1856, from page 66 to 81. This report shows a total estimate of the real estate equal to \$42,136,069 90. In many cases of real estate recently acquired for station-houses, buildings for Fire Department, and other public buildings, the consideration in the deeds of purchase was taken as the amount of the estimated value: in other cases, persons of experience, and familiar with the value of property in the locality, were consulted; and the whole was reviewed by John J. Serrell, whose long experience as a surveyor, and whose familiarity with the titles and real estate of the city, eminently qualify him to form a correct judgment in regard to the solid value of the Corporation property.

In addition to the arrangements alluded to in the foregoing state-

ments respecting the abstracts of titles and other matters connected with the real estate of the city, it is proper to state that since the 5th February, 1856, in all acquisitions of land for the city, receipts and releases, duly acknowledged before a commissioner of deeds, have been taken from each owner of land to whom an award was made by the Commissioners of Estimate and Assessment; and payments of all awards since the date above referred to have been made in the Finance Department, on copies of the several awards made by the commissioners, and confirmed by the Supreme Court, and certified by the clerk of said court. In regard, therefore, to the real estate acquired by the City for the Central Park, the new Croton Reservoir, the Bowery extension, First avenue and Cliff street, there is in the Finance Department an authentic release from the owner of each parcel of land taken, prepared in such form as to be preserved in books—thus forming an authentic record, making the title of the city complete. The releases of the Central Park, embracing about 1,500 owners, are bound up in six substantial volumes. These are the first authentic copies of releases of awards taken and placed on record in the Finance Department, where, by the ordinance of the Common Council, all title deeds and other assurances of title are required to be filed and kept.

#### THE STOCK CLERK.

W. H. Dikeman, the Stock Clerk, has charge of the issuing and transferring certificates of the city debt. Four times in each year he makes up a list of the stockholders, and gives the name and amount of stock and interest. This list, which occupies some forty pages of a large dividend book, and embraces 1,300 stockholders, is placed in the hands of the Chamberlain with a check to pay the interest. The aggregate amount of the stock debt is now about \$18,000,000, and the annual interest about \$800,000.

It must be obvious to every person of common understanding, that if an error was made to the amount of a single dollar in the account of interest in relation to any one of the certificates forming a part of the aggregate of this immense debt, it would be made known to the



Chamberlain, and the Finance Department would be called on to explain the error, or make up the amount.

Is it probable that the Stock Clerk could pass through such an ordeal four times in each year, unless he gave the true amount of interest to each holder of stock?

The Commissioners of the Sinking Fund have a large amount accumulated for the payment of the city debt. When the present commissioners organized in January last, they examined minutely every certificate in the custody of the Comptroller, and found the aggregate sum to correspond with the amount made up by the Stock Clerk and published in the last Annual Report of the Comptroller, page 37. The reserve fund, examined by the commissioners, was found to be \$5,093,880.

The original certificates creating the permanent stock debt of the city are issued by the Comptroller, under the sanction of an act of the Legislature, and an ordinance of the Common Council. These certificates are filled up and recorded by the Stock Clerk; and when he presents the certificate to be signed by the Mayor and Comptroller, he presents at the same time the receipt of the Chamberlain, showing that the amount of the certificate has been deposited in the treasury. When these original certificates are transferred from one person to another, the original is cancelled, and the Mayor and Comptroller sign a new certificate for the same amount, and the original thus cancelled is kept by the Stock Clerk.

At the commencement of this report (page 6), an explanation is given of the authority on which the Comptroller issues revenue and assessment bonds. The amount of revenue bonds is limited by the amount of the tax levy of the year in which the loans are made. The revenue bonds for the eight months preceding the first of September in the year 1858, amount to \$6,647,000. These bonds are prepared by the Stock Clerk and are signed by the Mayor, Comptroller and Clerk of the Common Council, the latter placing the corporate seal on each



bond. These bonds, when presented for signature, are accompanied by the receipt of the Chamberlain.

Assessment bonds are issued in the same manner. In some cases however, they are issued directly to pay instalments on contracts under the ordinance of December 30, 1854.

The longest time for which revenue bonds are issued is twelve months, and the payment of principal and interest is made at the end of the term, by warrants on the treasury. The bonds are surrendered to the Stock Clerk on the first and fifteenth of each month, when the warrants are given to the holders of the bonds.

The receipts and payments on account of revenue bonds amount to ten or twelve millions of dollars annually.

The operations of the Stock Clerk are tested by the accounts of the general bookkeeper. At some period in the last year the attention of the Comptroller was called to a discrepancy between the account of the bookkeeper and those of the Stock Clerk, by some one connected with the examining committee. An examination, instead of affording a satisfactory explanation, only confirmed the fact that a larger sum appeared to have been borrowed on revenue bonds than the total amount of bonds issued. A few weeks afterwards, a person who had deposited four thousand dollars with the Chamberlain called for his bond, and produced the Chamberlain's receipt, which had not before been presented, which made the difference in the entries of the bookkeeper and Stock Clerk.

All of which is respectfully submitted,

A. C. FLAGG, *Comptroller.*



## STATEMENT No. 1.

*Appropriations and Expenditures of the City Government, from July 1st, 1857, to June, 30th, 1858.*

HEADS OF ACCOUNTS.	APPROPRIATIONS in 1857.	APPROPRIATIONS in 1858.	EXPENDITURES, Six mos. from July 1 to Dec. 31, 1857.	EXPENDITURES, Six mos. from Jan. 1 to June 30, 1858.	TOTAL EXPENDITURE, Twelve mos.
Alms-House.....	\$843,800 00	\$605,000 00	\$568,800 00	\$225,000 00	\$793,800 00
Aqueduct Repairs and Improvements..	45,000 00	20,000 00	35,352 07	7,485 14	42,837 21
Board of Health.....	10,000 00	10,000 00	7,953 31	4,242 00	12,195 31
Belgian Pavement.....	50,000 00	232,000 00	10,093 07	43,862 44	53,955 51
Blackwell's Island Hospital.....		100,000 00			
County Jail, re-construction.....		25,000 00			
Contingencies, Mayor's Office.....	3,000 00	3,000 00	221 49	815 47	1,036 96
City Contingencies.....	80,000 00	80,000 00	46,682 90	59,168 43	105,851 33
Contingent Expenses, Common Council,	15,000 00		5,041 72		5,041 72
County Contingencies.....	40,000 00	50,000 00		20,118 39	20,118 39
City Inspector's Department.....	8,950 00	11,875 00	3,832 16	5,846 56	9,678 72
Coroners' Fees.....	20,000 00	20,000 00	8,646 81	7,123 87	15,770 68
Cleaning Streets under contract.....	250,000 00	280,000 00	125,186 92	120,500 86	245,687 78
City Hall Fire Look-out Plans.....		250 00		250 00	250 00
Docks & Piers, build. & repair., & clean.					
& dredg. slips.....	175,000 00	197,000 00	42,762 14	2,364 48	45,126 62
Donations.....	15,000 00	15,000 00	6,397 00	11,080 00	17,477 00
Election Expenses.....	20,000 00	50,000 00	38,881 60		38,881 60
Do. do. fitting up polls.....	500 00		323 13		323 13
Errors and Delinquencies.....	5,000 00	5,000 00	1,611 98	1,494 90	3,106 88
Fire Department.....	72,732 00	62,500 00	21,998 00	23,944 32	45,942 32
Fire Telegraph.....	15,680 00	6,400 00	10,037 85	1,091 57	11,129 42
Interest on Revenue Bonds.....	295,000 00	325,000 00	71,937 61	200,318 61	272,256 22
Do Assessment Bonds.....	75,000 00	11,000 00	41,916 01	6,328 09	48,244 10
Intestate Estates.....	3,000 00	7,000 00	1,407 74	4,255 66	5,663 40
Iron Pavement, (re-appropriated).....	125,000 00	78,000 00			
Iron Railing, Tompkins Square.....		45,000 00			
Lamps and Gas.....	421,490 00	460,634 00	267,688 90	138,868 95	406,557 85
Do. do. Harlem District.....	35,000 00		9,736 14		9,736 14
Lands and Places.....	25,000 00	25,000 00	1,541 75	7,150 22	8,691 97
Lands & Places, 4th av. Parks, (re-app.)	30,000 00	30,000 00			
Law Expenses, (D. D. Conover,).....		13,800 00		13,367 39	13,367 39
Law Expenses, Metropolitan Police.....		16,550 00		16,550 00	16,550 00
Monument to Major General Worth.....	23,500 00	10,000 00	10,000 00	5,000 00	15,000 00
Markets.....	7,000 00	7,000 00	5,784 28	3,982 63	9,766 91
Officers' Fees.....	40,000 00	25,000 00	3,746 76	7,215 42	10,962 18
Police.....	825,500 00	888,548 60	470,440 45	499,000 00	969,440 45
Printing.....	85,000 00	85,000 00	24,154 83	39,044 00	63,198 83
Public Buildings, construction & repairs	46,500 00	83,000 00	16,856 06	16,081 47	32,937 53
Rents.....	30,000 00	30,000 00	14,337 92	17,884 34	32,222 26
Real Estate.....	35,000 00	33,500 00	13,700 00	2,500 00	16,200 00
Real Estate Expenses.....	100,000 00	178,365 82	18,174 47	83 25	18,257 72
Roads & Avenues, & Arrears of 1857....	75,000 00	50,000 00	3,291 99	33,588 47	36,880 46
Roads & Aves., grad'g 8th av. (re-app.)	40,000 00	40,000 00			
Roads, macadamizing 2d av. ab. 61st st.		50,000 00			
Roads, 11th av. working country road.		20,000 00			
Russ Pavement Improvement.....		26,000 00			
Russ Pavement, (re-appropriated).....		49,979 38			
Removing obstructions in Sts. & Harb.	5,000 00	10,000 00	196 50	205 85	402 35
Stationery.....	20,000 00	20,000 00	9,899 49	9,781 36	19,680 85
Supplies to Public Offices.....	15,000 00	15,000 00		10,018 40	10,018 40
Sewers, repairing and cleaning.....	24,000 00	35,000 00	13,010 74	10,175 35	23,186 09
Salaries.....	412,500 00	584,490 00	193,020 12	287,899 09	480,919 21
Sunken Vessels, removing.....	2,000 00	5,000 00	740 00		740 00
Street Expenses and Paving.....	100,000 00	90,000 00	41,567 51	23,335 68	64,903 19
Society for Reform'n of Juven. Delinq.	8,000 00	8,000 00	4,000 00	4,000 00	8,000 00
Station-house, 15th Ward, (re-app.).....		12,000 00			
Station-house, 21st Ward, (re-app.).....	10,000 00	10,000 00			
Station-house, 22d Ward.....		12,000 00			
Steam Fire Engines, (re-appropriated,).....	19,500 00	19,500 00			
Salaries, (D. D. Conover and Clerks,).....		38,278 95		37,579 16	37,579 16
10th av. work. as a country road, (re-ap.	18,000 00	18,000 00	6,018 67	1,271 05	7,289 72
Wells and Pumps, and Repairing,.....	1,000 00	1,700 00		550 06	550 06
Water Pipes and Laying.....	91,300 00	116,630 00	55,171 25	53,735 75	108,907 00
Arrearages of 1856.....	438,370 47		3,045 45		3,045 45
Do. of 1857.....		593,966 19		298,797 89	298,797 89
Paving Bowery and Chatham street...	100,000 00		68,040 12		68,040 12
Repairs and Supplies.....	11,544 00		4,772 12		4,772 12
Ward Maps and Surveys.....	5,000 00		1,182 72		1,182 72
TOTALS.....	\$5,267,866 47	\$6,050,967 94	\$2,309,201 75	\$2,282,956 57	\$4,592,158 32



## STATEMENT No. 2.

*Appropriations and Expenditures on Trust and Special Accounts, from July 1st, 1857, to June 30th, 1858.*

HEADS OF ACCOUNTS.	APPROPRIATIONS in 1857.	APPROPRIATIONS in 1858.	EXPENDITURES, Six mos. from July 1 to Dec. 31, 1857.	EXPENDITURES, Six mos. from Jan. 1 to June 30, 1858.	TOTAL EXPENDITURE, Twelve mos.
Asylum for Idiots .....	\$240 00	\$240 00	.....	\$240 00	\$240 00
Building Loan Stock, No. 3.....	50,000 00	50,000 00	50,000 00	.....	50,000 00
Belgian Pavement.....	.....	100,000 00	.....	4,925 79	4,925 79
Charges on Arrears of Taxes .....	5,000 00	5,000 00	.....	.....	.....
Charges on Arrears of Assessments...	5,000 00	5,000 00	1,051 50	.....	1,051 50
Common Schools for State.....	383,805 37	238,063 90	.....	230,339 21	230,339 21
Common Schools for City.....	1,100,410 82	1,126,013 00	605,410 82	550,000 00	1,155,410 82
Croton Aqueduct Dep't, for Sewers....	500,000 00	285,000 00	32,700 46	29,864 59	62,565 05
Do. do. by bonds, \$15,200.....	.....	.....	.....	.....	.....
Croton Water Works Extension.....	.....	708,000 00	15,680 42	13,414 74	29,095 16
Central Park, interest on debt.....	255,760 00	265,700 00	255,760 00	.....	255,760 00
County Clerk's Office.....	15,550 00	13,350 00	8,867 37	6,675 00	15,542 37
Court of Common Pleas .....	7,000 00	7,000 00	698 68	.....	698 68
Central Park Awards.....	.....	417,000 00	.....	198,226 76	198,226 76
Do. do. bonds issued, \$146,000.....	.....	.....	.....	.....	.....
Deaf and Dumb Asylum.....	2,700 00	3,000 00	2,270 00	1,200 00	3,470 00
Fill'g Sunk. Lots—bonds issued, \$3,600.....	.....	.....	.....	.....	.....
Fill'g Sunk. Lots, under ordinance C. C.....	.....	5,000 00	.....	2,108 83	2,108 83
Fencing Vacant Lots.....	.....	.....	962 33	.....	962 33
For Redemp. of Public Education Stock,.....	.....	12,357 36	.....	.....	.....
Institution for the Blind.....	2,240 00	1,100 00	1,240 00	500 00	1,740 00
Interest on Assessments.....	20,000 00	20,000 00	.....	.....	.....
Liens on Lots.....	5,000 00	4,931 79	1,895 68	149 85	2,045 53
New-York Juvenile Asylum.....	40,000 00	40,000 00	17,407 49	25,520 00	42,927 49
New Reservoir Awards.....	.....	238,000 00	.....	25,077 11	25,077 11
Refunded on Assessment Sales .....	25,000 00	25,000 00	1,308 27	309 38	1,617 65
Refunded on Tax Sales.....	5,000 00	50,000 00	.....	.....	.....
Surrogate's Office.....	12,570 00	13,900 00	7,202 29	7,033 97	14,836 26
Superior Court.....	6,600 00	6,600 00	3,300 00	3,300 00	6,600 00
Streets Opening.....	800,000 00	250,000 00	36,225 30	25,420 60	61,645 90
Streets Paving .....	600,000 00	300,000 00	39,056 83	34,412 09	73,468 92
Do. do. by bonds, \$50,000.....	.....	.....	.....	.....	.....
Streets regulating and Grading .....	.....	200,000 00	.....	.....	.....
Unclaimed Warrants re-issued .....	.....	.....	.....	2,900 00	2,900 00
Streets Flagging, Curb and Gutter.....	.....	250,000 00	.....	.....	.....
State Mill Tax, 2½ mills .....	383,805 37	1,171,226 88	311,740 50	400,000 00	711,740 50
Redemption of Revenue Bonds.....	6,542,000 00	6,325,000 00	2,218,650 00	2,898,300 00	5,116,950 00
Redemp. of Assessment Bonds & Int....	375,000 00	210,000 00	81,900 00	62,759 49	144,659 49
Wells and Pumps .....	2,000 00	2,000 00	.....	.....	.....
Central Park Improvement .....	.....	.....	300,000 00	.....	300,000 00
Commissioners of Record.....	.....	.....	275,000 00	75,000 00	350,000 00
Arsenal Property.....	.....	.....	275,000 00	.....	275,000 00
Judgments.....	.....	.....	187,112 13	52,073 51	239,185 64
New Reservoir.....	300,000 00	.....	230 25	.....	230 25
Contingent Expenses of Common Council, Pay of Members, 1857.....	.....	.....	.....	22,960 00	22,960 00
Tompkins Market .....	.....	.....	.....	31,749 01	31,749 01
Pay of Supervisors, 1857.....	.....	.....	.....	1,584 00	1,584 00
Claims passed do. do., legalized by legislature.....	.....	.....	.....	8,937 60	8,937 60
Contesting Election, 22d Ward.....	.....	.....	.....	340 00	340 00
TOTALS.....	11,444,681 56	12,347,552 93	\$4,730,670 32	\$4,715,921 53	\$9,446,591 85

## STATEMENT No. 3.

*Expenditures and Receipts of City Government, including Trust Accounts, from  
July 1st, 1857, to June 30th, 1858.*

HEADS OF ACCOUNTS.	EXPENDITURES.	RECEIPTS.
Alms-House .....	\$793,800 00	
Aqueduct Repairs and Improvements.....	42,837 21	\$50 00
Board of Health.....	12,195 31	573 75
Belgian Pavement .....	53,955 51	
Contingencies—Mayor's Office.....	1,036 96	
City Contingencies .....	105,851 33	
Contingent expenses, Common Council.....	5,041 72	125 10
County Contingencies .....	20,118 39	
City Inspector's Department .....	9,678 72	25 00
Coroner's Fees.....	15,770 68	
Cleaning Streets under contract.....	245,687 78	10,289 84
City Hall, Fire Look-out Plans.....	250 00	
Docks and Piers, building and repairing, and clean- ing and dredging slips.....	45,126 62	
Donations .....	17,477 00	
Election Expenses .....	38,881 60	
Do do fitting up Polls .....	323 13	
Errors and Delinquencies .....	3,106 88	
Fire Department.....	45,942 32	1,253 92
Fire Telegraph.....	11,129 42	
Interest on Revenue Bonds.....	272,256 22	
Interest on Assessment Bonds.....	48,244 10	
Intestate Estates.....	5,663 40	9,348 31
Lamps and Gas .....	406,557 85	
Do do Harlem District.....	9,736 14	
Lands and Places.....	8,691 97	
Law expenses, (D. D. Conover) .....	13,367 39	
Do Metropolitan Police .....	16,550 00	
Monument to Major-General Worth.....	15,000 00	
Markets.....	9,766 91	
Officers' Fees .....	10,962 18	4 00
Police.....	969,440 45	
Printing.....	63,198 83	
Public Buildings—construction and repairs.....	32,937 53	
Rents.....	32,222 26	
Real Estate .....	16,200 00	
Do Expenses .....	18,257 72	
Roads and Avenues and Arrears of 1857.....	36,880 46	
Carried forward.....	\$3,454,143 99	\$21,669 92



HEADS OF ACCOUNTS.	EXPENDITURES.	RECEIPTS.
Brought forward.....	\$3,454,143 99	\$21,669 92
Removing obstructions in Streets and Harbor.....	402 35	
Stationery.....	19,680 85	
Supplies to Public Offices.....	10,018 40	
Sewers, Repairing and Cleaning.....	23,186 09	18,694 50
Salaries.....	480,919 21	
Sunken Vessels, Removing.....	740 00	
Street Expenses and Paving.....	64,903 19	856 66
Society for Reformation of Juvenile Delinquents...	8,000 00	
Salaries, (D. D. Conover and Clerks).....	37,579 16	
Tenth avenue, working as a country road.....	7,289 72	
Wells and Pumps and Repairing.....	550 06	
Water Pipes and Laying.....	108,907 00	665 85
Arrearages of 1856.....	3,045 45	
Do 1857.....	298,797 89	
Paving Bowery and Chatham street.....	68,040 12	
Repairs and Supplies.....	4,772 12	
Ward Maps and Surveys.....	1,182 72	
Asylum for Idiots.....	240 00	
Building Loan Stock, No. 3.....	50,000 00	
Belgian Pavement.....	4,925 79	
Charges on Arrears of Taxes.....		97 50
Do on Arrears of Assessments.....	1,051 50	
Common Schools for State.....	230,339 21	
Do for City.....	1,155,410 82	60,544 49
Croton Aqueduct Department, for Sewers.....	62,565 05	56,136 15
Do Do Bonds issued .....\$15,200 00		
Croton Water Works Extension.....	29,095 16	189 00
Central Park, interest on debt.....	255,760 00	
County Clerk's Office.....	15,542 37	15,616 85
Court of Common Pleas.....	698 68	5,656 55
Central Park Awards.....	198,226 76	
Do do Bonds issued .....\$146,000 00		
Deaf and Dumb Asylum.....	3,470 00	
Filling Sunken Lots under ordinance of the Common Council.....	2,108 83	
Do do Bonds issued.....\$3,600 00		
Fencing Vacant Lots.....	962 33	
Institution for the Blind.....	1,740 00	
Interest on Assessments.....		45,286 97
Liens on Lots.....	2,045 53	211 96
New York Juvenile Asylum.....	42,927 49	
New Reservoir Awards.....	25,077 11	
Refunded on Assessment Sales.....	1,617 65	8,913 97
Do Tax Sales.....		842 62
Surrogate's Office.....	14,836 26	13,415 62
Superior Court.....	6,600 00	6,116 40
Streets, Opening.....	61,645 90	81,038 25
Do Paving.....	73,468 92	12,026 47
Carried forward.....	\$6,997,313 68	\$347,979 73



HEADS OF ACCOUNTS.	EXPENDITURES.	RECEIPTS.
Brought forward.....	\$6,997,313 68	\$347,979 73
Streets Paving, Bonds issued .....\$50,000 00		
Unclaimed Warrants, re-issued .....	2,900 00	
State Mill Tax, 2 $\frac{1}{4}$ mill .....	711,740 50	
Redemption of Revenue Bonds.....	5,116,950 00	5,717,550 90
Redemption of Assessment Bonds, and interest on Five year bonds.....	144,659 49	
Central Park Improvement Fund Stock.....		300,000 00
Commissioners of Record.....	350,000 00	
Arsenal Property, (stock issued).....	275,000 00	273,848 33
Judgments .....	239,185 64	2,702 17
New Reservoir, (stock issued).....	230 25	14,500 66
Tompkins Market, (stock issued).....	31,749 01	169,700 00
Pay of Supervisors 1857.....	1,584 00	
Claims passed Do, do, legalized by legislature.....	8,937 60	
Pay of Members of Common Council, 1857.....	22,960 00	
Contesting election Twenty-second Ward.....	340 00	
Taxes of 1857, and previous years.....		7,206,276 15
Interest on Taxes .....		104,335 41
Fencing Vacant Lots.....		749 54
Arrears of Assessments.....		185,829 90
Assessment Bonds, Five years.....		44,000 00
Central Park.....		13,874 72
Do Fund Stock, 1887.....		42,972 41
Interest and prem. on Stocks .....		1,939 80
Dividend on Stock.....		70 00
Central Park Improvement .....	300,000 00	
Totals.....	\$14,038,750 17	\$14,426,328 82

STATEMENT No. 4.

Showing the Amount of Taxes and the objects for which they were levied, in the City and County of New York, for Nine years, from 1850 to 1858.

HEADS OF ACCOUNTS.	1850.	1851.	1852.	1853.	1854.	1855.	1856.	1857.	1858.
Alms-house.....	\$400,000 00	\$380,000 00	\$390,000 00	\$385,000 00	\$427,000 00	\$613,450 00	\$925,000 00	\$843,800 00	\$605,000 00
Aqueduct Repairs.....	20,000 00	15,000 00	30,000 00	18,000 00	22,000 00	20,000 00	35,000 00	45,000 00	20,000 00
Do Construction.....	8,000 00	.....	.....	.....	.....	.....	.....	.....	.....
Battery Enlargement.....	.....	.....	20,000 00	25,000 00	25,000 00	25,000 00	.....	.....	.....
Board of Health.....	10,000 00	10,000 00	10,000 00	10,000 00	10,000 00	10,000 00	40,000 00	10,000 00	10,000 00
City Inspector's Department.....	.....	15,000 00	50,000 00	82,275 00	75,500 00	30,000 00	8,315 00	8,950 00	11,875 00
Coroners' Fees.....	10,000 00	12,000 00	12,000 00	12,000 00	16,000 00	18,000 00	18,000 00	20,000 00	20,000 00
Cleaning Docks and Slips.....	8,000 00	10,000 00	10,000 00	12,500 00	6,000 00	6,000 00	6,000 00	.....	.....
Docks and Slips--new work.....	80,000 00	.....	.....	200,000 00	166,000 00	*15,000 00	100,000 00	175,000 00	150,000 00
Do --repairs.....	45,000 00	.....	.....	50,000 00	50,000 00	20,000 00	20,000 00	.....	.....
County Contingencies.....	100,000 00	120,000 00	120,000 00	120,000 00	120,000 00	120,000 00	70,000 00	40,000 00	50,000 00
City Contingencies.....	.....	.....	.....	.....	.....	.....	.....	80,000 00	80,000 00
Common Council, pay of members.....	.....	.....	.....	.....	31,388 00	38,000 00	36,000 00	10,496 00	.....
Contingent Expenses, Common Council.....	10,000 00	20,000 00	25,000 00	20,000 00	10,000 00	.....	7,500 00	15,000 00	.....
Donations.....	15,000 00	15,000 00	15,000 00	15,000 00	5,000 00	46,000 00	10,000 00	15,000 00	15,000 00
Election Expenses.....	8,000 00	8,000 00	12,000 00	30,000 00	28,000 00	18,000 00	20,000 00	20,500 00	50,000 00
Errors and Delinquencies.....	3,000 00	3,000 00	3,000 00	3,000 00	5,000 00	5,000 00	5,000 00	5,000 00	5,000 00
Fire Department.....	40,000 00	50,000 00	70,000 00	50,000 00	55,000 00	75,000 00	81,000 00	72,732 00	62,500 00
Do do Steam Fire Engines.....	.....	.....	.....	.....	.....	.....	.....	19,500 00	.....
Interest on Revenue Bonds.....	90,000 00	90,000 00	75,000 00	75,000 00	130,000 00	194,000 00	220,000 00	295,000 00	325,000 00
Do Assessment Bonds.....	.....	.....	.....	.....	.....	30,000 00	60,000 00	75,000 00	11,000 00
Intestate Estates.....	3,000 00	3,000 00	3,000 00	3,000 00	3,000 00	3,000 00	3,000 00	3,000 00	7,000 00
Lands and Places.....	5,000 00	7,500 00	15,000 00	15,000 00	15,000 00	15,000 00	16,500 00	80,000 00	25,000 00
Lands purchased for Assessments.....	25,000 00	.....	30,000 00	30,000 00	.....	.....	.....	.....	.....
Markets .. .. .	5,000 00	5,000 00	7,000 00	8,000 00	8,000 00	12,000 00	7,000 00	7,000 00	7,000 00
Mayoralty Fees.....	125 00	150 00	150 00	150 00	150 00	150 00	150 00	150 00	.....
Officers' Fees.....	30,000 00	30,000 00	35,000 00	35,000 00	35,000 00	40,000 00	20,000 00	40,000 00	25,000 00
Police and Fire Telegraph.....	.....	.....	.....	.....	.....	5,000 00	5,000 00	15,600 80	6,400 00
Printing.....	26,000 00	35,000 00	45,000 00	50,000 00	75,600 00	85,000 00	85,000 00	85,000 00	85,000 00
Repairs and Supplies.....	50,000 00	60,000 00	60,000 00	195,000 00	135,000 00	144,000 00	182,000 00	89,544 00	98,000 00
Rents.....	2,000 00	2,000 00	3,000 00	3,500 00	3,500 00	20,000 00	20,000 00	30,000 00	30,000 00
Real Estate.....	15,000 00	30,000 00	30,000 00	50,000 00	25,000 00	25,000 00	25,000 00	35,000 00	33,500 00
Do Expenses.....	10,000 00	50,000 00	50,000 00	50,000 00	30,000 00	50,000 00	50,000 00	100,000 00	100,000 00
Roads and Avenues.....	30,000 00	30,000 00	40,000 00	38,000 00	50,000 00	50,000 00	50,000 00	75,000 00	50,000 00
Do Eighth avenue.....	.....	15,000 00	7,500 00	10,000 00	15,000 00	.....	.....	40,000 00	.....
Stationery.....	9,000 00	16,000 00	20,000 00	25,000 00	20,000 00	20,000 00	18,000 00	20,000 00	20,000 00
Sunken Vessels--removing.....	.....	.....	2,000 00	2,000 00	2,000 00	2,000 00	2,000 00	2,000 00	5,000 00
Sewers--repairing and cleaning.....	10,000 00	.....	12,000 00	16,500 00	15,000 00	17,000 00	24,000 00	24,000 00	35,000 00
Salaries.....	200,000 00	220,000 00	225,000 00	235,000 00	260,000 00	332,000 00	369,200 00	412,500 00	584,490 00
Statistical Tables, Croton Aqueduct Dep.....	.....	1,500 00	.....	1,500 00	1,500 00	1,500 00	1,500 00	.....	.....
Water Pipes and Laying.....	140,000 00	.....	.....	112,500 00	123,000 00	123,500 00	165,700 00	91,300 00	116,630 00
Cleaning Streets.....	.....	.....	.....	385,000 00	140,000 00	170,494 00	259,224 00	250,000 00	280,000 00
Street Expenses and Repairs.....	200,000 00	270,000 00	\$10,000 00	{ 100,000 00	250,000 00	75,000 00	60,000 00	100,000 00	90,000 00



Deghue or Belgian Pavement.....	8,144 49	.....	185,641 46	129,971 91	74,742 55	165,000 00	.....	126,116 99	50,000 00	232,000 00
Common Schools—for State.....	267,968 86	.....	502,315 10	604,000 00	668,813 50	124,904 43	956,000 00	1,023,354 36	383,805 37	238,063 90
Do —for City.....	.....	447,487 48	.....	.....	.....	.....	50,000 00	1,100,210 81	1,100,210 81	1,226,013 00
Commissioners of Record.....	50,000 00	.....	50,000 00	50,000 00	50,000 00	50,000 00	50,000 00	150,000 00	350,000 00	50,000 00
Building Loan Stock, Nos. 2 and 3.....	.....	.....	.....	.....	.....	.....	.....	50,000 00	50,000 00	50,000 00
Indexing Records, County Offices.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Judges Supreme Court.....	185,000 00	.....	.....	.....	.....	8,000 00	330,380 00	396,367 00	456,490 00	460,634 00
Lighting Lamp District.....	126 68	168 34	361 66	467 00	321,405 00	500 00	20,000 00	800 00	800 00	500 00
New York State Lunatic Asylum.....	.....	.....	.....	50,000 00	4,882 20	20,000 00	60 00	40,000 00	40,000 00	40,000 00
Do Juvenile Asylum.....	.....	.....	.....	.....	.....	.....	.....	120 00	240 00	240 00
Do Asylum for Idiots.....	720 00	720 00	720 00	2,080 00	2,080 00	2,100 00	2,100 00	2,240 00	2,240 00	1,100 00
Institution for the Blind.....	2,080 00	2,800 00	2,960 00	2,640 00	2,640 00	2,700 00	2,700 00	2,700 00	2,700 00	3,000 00
Do Deaf and Dumb.....	492,000 00	510,000 00	540,000 00	615,000 00	872,715 00	819,400 00	819,400 00	828,500 00	825,500 00	888,548 60
Police.....	143,042 90	160,059 17	175,853 39	103,408 23	12,448 58	12,357 36	12,357 36	12,357 36	12,357 36	12,357 36
Public Education Stock.....	186,689 00	5,000 00	5,000 00	5,000 00	310,224 69	346,714 34	346,714 34	608,826 43	511,740 50	1,172,644 31
State Mill Tax.....	290,940 60	35,000 00	18,833 47	742,157 91	123,770 22	481,612 76	481,612 76	415,932 83	488,370 47	593,966 19
Washington Square Iron Railing Stock..	.....	.....	.....	.....	.....	.....	.....	35,600 00	.....	.....
Water Loan Interest.....	.....	.....	.....	.....	.....	.....	.....	5,000 00	.....	.....
Arrearages of Previous Year.....	.....	.....	.....	.....	.....	.....	.....	23,500 00	.....	10,000 00
Blasting Diamond Reef.....	.....	.....	.....	.....	.....	.....	.....	50,000 00	.....	26,600 00
Repairing County Jail.....	.....	.....	.....	.....	.....	.....	.....	75,000 00	100,000 00	.....
Monument to Major-General Worth.....	.....	.....	.....	.....	.....	.....	.....	18,000 00	.....	.....
Grooving Broadway Russ Pavement.....	.....	.....	.....	.....	.....	.....	.....	10,000 00	5,000 00	.....
Paving Bowery and Chatham street.....	.....	.....	.....	.....	.....	.....	.....	5,000 00	.....	.....
Grading Tenth avenue.....	.....	.....	.....	.....	.....	.....	.....	5,000 00	.....	.....
Ward Maps & Surveys for Tax Commis..	.....	.....	.....	.....	.....	.....	.....	162,422 15	255,760 00	265,700 00
Surgical Department of Police.....	.....	.....	.....	.....	.....	.....	.....	4,000 00	8,000 00	8,000 00
Central Park Interest.....	.....	.....	.....	.....	.....	.....	.....	.....	10,000 00	10,000 00
Society for Reform. of Juvenile Delinq..	.....	.....	.....	.....	.....	.....	.....	.....	12,000 00	.....
Charges on Arrears of Taxes & Assess..	.....	.....	.....	.....	.....	.....	.....	.....	3,000 00	3,000 00
Station-house, Twenty-first Ward.....	.....	.....	.....	.....	.....	.....	.....	.....	125,000 00	.....
Do Fifteenth Ward.....	.....	.....	.....	.....	.....	.....	.....	.....	6,000 00	.....
Contingencies of Mayor's Office.....	.....	.....	.....	.....	.....	.....	.....	.....	5,000 00	.....
Iron Pavement.....	.....	.....	.....	.....	.....	.....	.....	.....	1,000 00	.....
Parapet Wall, 50th st., 4th & Lex. av..	.....	.....	.....	.....	.....	.....	.....	.....	.....	10,000 00
Remov. Pub. Build'gs in opening sts., &c.	.....	.....	.....	.....	.....	.....	.....	.....	1,700 00	1,700 00
Wells and Pumps, repairing.....	.....	.....	.....	.....	.....	.....	.....	.....	25,000 00	25,000 00
County Jail, re-construction.....	.....	.....	.....	.....	.....	.....	.....	.....	50,000 00	50,000 00
Roads, and Macadamizing Second av..	.....	.....	.....	.....	.....	.....	.....	.....	20,000 00	20,000 00
Working Eleventh avenue.....	.....	.....	.....	.....	.....	.....	.....	.....	20,000 00	20,000 00
Tompkins Square Railing.....	.....	.....	.....	.....	.....	.....	.....	.....	12,000 00	12,000 00
Station-house, Twenty-second Ward.....	.....	.....	.....	.....	.....	.....	.....	.....	250 00	250 00
City Hall Look-out.....	.....	.....	.....	.....	.....	.....	.....	.....	100,000 00	100,000 00
Hospital, Blackwell's Island.....	.....	.....	.....	.....	.....	.....	.....	.....	38,278 95	38,278 95
Salaries, D. D. Conover and others.....	.....	.....	.....	.....	.....	.....	.....	.....	13,800 00	13,800 00
Law Expenses, do.....	.....	.....	.....	.....	.....	.....	.....	.....	16,550 00	16,550 00
Do Metropolitan Police.....	.....	.....	.....	.....	.....	.....	.....	.....	8,000 00	8,000 00
Interest on Tompkins Market Stock.....	.....	.....	.....	.....	.....	.....	.....	.....	350 00	350 00
Interest on Harlem Bridge Stock.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
<b>TOTAL TAX LEVIED.....</b>	<b>\$3,230,180 47</b>	<b>\$2,924,384 99</b>	<b>\$3,378,335 08</b>	<b>\$5,069,650 05</b>	<b>\$4,841,255 54</b>	<b>\$5,843,822 89</b>	<b>\$7,075,425 72</b>	<b>\$8,066,566 52</b>	<b>\$8,621,091 31</b>	<b>\$8,621,091 31</b>

\* Of the tax of 1854, for this account, \$85,000 was unexpended in that year, and leaves only \$15,000 to be levied in 1855.



## STATEMENT No 5.

RECEIPTS *of the Commissioners of the SINKING FUND FOR THE REDEMPTION OF THE CITY*  
DEBT, *for the year ending June 30th 1858.*

Received from Butchers' Stands .....	\$15,036 59
“ “ Bonds and Mortgages.....	83,537 25
“ “ Central Park Improvement Fund Stock .....	50,000 00
“ “ Commutation Water Lot Quit Rents.....	6,011 99
“ “ Interest on City Stocks.....	224,985 39
“ “ “ “ Bonds .....	19,479 45
“ “ Licenses, per Clerk of Common Council.....	32,369 75
“ “ Market Fees.....	81,674 76
“ “ Market Cellar Rents.....	14,978 51
“ “ Revenue Bonds .....	500,000 00
“ “ Real Estate .....	10,285 39
“ “ Street Vaults.....	15,728 82
“ “ Water Stock.....	101,000 00
“ “ Water Lot Rent.....	238 82
Total amount of Receipts.....	\$1,155,326 72

INVESTMENTS AND PAYMENTS *during the same period, viz:*

Invested in Central Park Improvement Fund Stock.....	\$50,000 00
“ Water Stock .....	32,440 00
*Paid for redemption of Water Stock of 1858.....	1,478,562 00
“ Interest on “ “ .....	5,264 33
Paid O'Connor, Fullerton & Co., counsel fees in relation to Brick Church property.....	2,500 00
“ Retaining Fees of Counsel in relation to Washing- ton Market property.....	2,500 00
“ Judgment in favor of F. A. Saltus.....	438 63
“ On account of Salary to Clerk of Commissioners ..	225 00
“ For advertising and posting bills.....	92 54
“ For making up Rent-rolls, for collecting City Revenue .....	50 00 1,572,072 50
Excess of Drafts over Receipts.....	416,745 78
Advance from Sinking Fund, for payment of Interest, July 1st 1857...	1,016,492 37
	\$1,433,238 15
Deduct for outstanding Warrants .....	8,945 05
Advance from Sinking Fund for payment of Interest, July 1st, 1858...	\$1,424,293 10

\* In addition to this amount \$1,322,712 held by the Commissioners of the Sinking Fund have been cancelled, making in all the sum of \$2,801,274, of the Water Stock of 1858, redeemed and cancelled during the year ending June 30th, 1858.

## STATEMENT No. 6.

RECEIPTS of the Commissioners of the Sinking Fund, for the PAYMENT OF INTEREST ON  
THE CITY DEBT, during the year ending June 30th, 1858.

Received from Croton Water Rents .....	\$726,077 99
“ Central Park, Rents .....	312 75
“ Contingencies .....	36 00
“ Interest on Bonds and Mortgages .....	32,947 41
“ “ Assessment Bonds .....	14,634 03
“ “ Central Park Debt, from Tax Levy of 1857..	255,760 00
“ Justices' Courts .....	17,512 20
“ Licenses from First Marshal .....	9,346 25
“ Marine Court .....	5,648 36
“ Mayoralty Fees .....	636 03
“ Night Soil Contract .....	1,194 66
“ Police Courts .....	760 52
“ Penalties .....	8,374 07
“ Rents on Real Estate .....	295,803 95
Returned on account of Advertising Paid in error .....	7 00
Total Amount of Receipts .....	\$1,369,051 22
Balance in Bank, July 1st 1857 .....	544,105 12
Cash means for the year .....	\$1,913,156 34

## PAYMENTS during the same period, viz:

Paid for Interest on City Stocks .....	\$950,404 47
“ Maps of Harbor of New York .....	2,100 00
“ Opening and Posting Stock-books .....	533 33
“ Entering Croton Water Arrears in Tax Books .....	395 70
“ Compiling Arrears of Croton Water Rents .....	235 60
“ Fixtures in rooms over Jefferson Market .....	576 90
“ Maps of Real Estate for Law Department .....	70 00
“ Appraising Buildings on Leased Property .....	40 00
“ Advertising and Posting Bills .....	506 32
Refunded for Rent paid in error .....	37 50
Balance .....	954,899 82
Balance .....	\$958,256 52
Advance to Sinking Fund for redemption of City Debt, July 1st, 1857 .....	1,016,492 37
Total Balance .....	\$1,974,748 89
Balance in Bank July 1st, 1858 .....	545,191 46
	\$1,429,557 43
Deduct Amount of Interest included in checks for Redemption of Water Stock .....	5,264 33
Advanced to Sinking Fund for Debt, July 1st, 1858 .....	\$1,424,293 10

## STATEMENT No. 7.

PERMANENT CITY DEBT, *Redeemable from the Sinking Fund, July 1st, 1858.*

5	per cent. Water Stock, out-std'g, redeemable	Jan. 1st, 1858.	\$199,160 00
5	" " " " " " " " " " " "	Jan. 1st, 1860.	2,500,000 00
5	" " " " " " " " " " " "	Nov. 1st, 1870.	3,000,000 00
5	" " " " " " " " " " " "	July 12th, 1875.	255,600 00
5	" " " " " " " " " " " "	Nov. 1st, 1880.	2,147,000 00
5 & 6	per cent. Croton Water Stock,	Feb. 1st, 1890.	1,000,000 00
5	per cent. Fire Indemnity	" " May 10th, 1868.	402,768 00
5	" Building Loan	" No. 3, " Nov. 1st, 1870.	75,000 00
5	" " " " " No. 4, " Nov. 1st, 1873.		115,000 00
5	" Water (New Res.)	" " Oct. 1st, 1875.	29,100 00
6	" " ( " ) " " " Oct. 1st, 1875.		1,000,000 00
5	" Central Park Fund,	" " July 1st, 1898.	400,200 00
6	" " " " " " " " July 1st, 1887.		2,382,900 00
6	" " " " " (Arsenal) " July 1st, 1898.		273,700 00
6	" Central Park Improv. F'd Stk. " Aug. 1st, 1887.		300,000 00

Total Amount of Debt, July 1, 1858.....\$14,080,428 00

*Less—*

Amount of Stocks Bonds and Mortgages held by  
the Commissioners of the Sinking Fund, for  
the redemption of the City Debt, (see State-

ment No. 9.) viz: Corporation Stocks....\$3,780,652 00  
Bond of Hudson River Railroad Company..... 10,000 00  
Bonds and Mortgages..... 667,016 54

\$4,457,668 54

Deduct amount advanced from Fund

for Interest..... 1,424,293 10 3,033,375 44

Amount of Debt unprovided for, July 1st, 1858.....\$11,047,052 56



## STATEMENT No. 8.

FUNDED DEBT *Redeemable from Taxation, July 1st, 1858.*

5	per cent.	Public Building Stock, No. 3, payable Nov. 1st, 1858	\$50,000
5	"	" " " " " " " " 1859	50,000
5	"	" " " " " " " " 1860	50,000
5	"	" " " " " " " " 1861	50,000
5	"	" " " " " " " " 1862	50,000
5	"	" " " " " " " " 1863	50,000
5	"	" " " " " " " " 1864	50,000
5	"	" " " " " " " " 1865	50,000
5	"	" " " " " " " " 1866	50,000
5	"	" N. Y. City Stock, for Docks and Slips, " 1867	50,000
5	"	" " " " " " " " 1868	50,000
5	"	" " " " " " " " 1869	50,000
5	"	" " " " " " " " 1870	50,000
5	"	" " " " " " " " 1871	50,000
5	"	" " " " " " " " 1872	50,000
5	"	" " " " " " " " 1873	50,000
5	"	" " " " " " " " 1874	50,000
5	"	" " " " " " " " 1875	50,000
5	"	" " " " " " " " 1876	50,000
5	"	" *Public Education Stock, payable.....May 1st, 1873	154,000
6	"	" Public Stock for Tompkins Market, payable in yearly Instalments of \$17,000.....1860 to 1869	169,700
Total amount.....			<u>\$1,273,700</u>

FUNDED DEBT, *Redeemable from Central Park Assessments, July 1st, 1857.*

6 per cent. Central Park Asse't Fund S'k, red'ble Feb. 5th, 1859.. \$1,600,000

\* The sum of \$4,657 36 is to be raised by *tax, annually, for twenty years*, to constitute a fund for the redemption of the Public Education Stock, when it becomes due.

## STATEMENT No. 9.

STOCKS AND SECURITIES, *held by the Commissioners of the Sinking Fund, for the Redemption of the City Debt, July 1st, 1858.*

5	per cent. Water Stock, . . . . .	Redeemable Jan. 1st, 1860	\$522,497 00
5	" " " . . . . .	" Nov. 1st, 1870	176,962 00
5	" " " . . . . .	" July 12th, 1875	59,700 00
5	" " " . . . . .	" Nov. 1st, 1880	2,087,025 00
5	" Croton Water Stock . . .	" Feb. 1st, 1890	400,000 00
5	" Fire Indemnity " . . .	" May 5th, 1868	169,368 00
5	" Public Building " No. 3, "	1861 to 1866	200,200 00
5	" " " " No. 4, "	Nov. 1st, 1873	40,000 00
5	" Public Education Stock, "	May 1st, 1873	104,000 00
5	" Stock for Docks and Slips "	Nov. 1st, 1875	8,000 00
5	" Water (New Reserv.) Stk., "	Oct. 1st, 1875	6,100 00
6	" Central Park Ass't Fund "	Feb. 5th, 1859	6,800 00

Total amount of Stocks. . . . . \$3,780,652 00

Bonds and Mortg's taken on Sales of Real Estate. .	\$623,516 54
Fire Loan Bonds and Mortgages. . . . .	43,500 00
Bond of Hudson River Railroad Company. . . . .	10,000 00
	677,016 54
	<hr/>
	\$4,457,668 54

Deduct Amount Advanced from Sinking Fund, for payment of  
Interest. . . . . 1,424,293 10

\*Total Amount, July 1, 1858. . . . . \$3,033,375 44

\* In addition to these assets, and the *annual revenues* by law appropriated to this Fund, the REAL ESTATE belonging to the Corporation, estimated as worth, (exclusive of the Croton Aqueduct and Reservoir,) more than twenty-seven millions of dollars, is also pledged for the redemption of the City Debt.

## STATEMENT No. 10.

## TREASURY LOAN ACCOUNT.

Revenue Bonds, issued in anticipation of the Tax of 1857 and 1858,  
during the year ending June 30th, 1858, viz:

Amount issued in 1857, 7 per cent.....	\$1,468,500 00
“ “ 1858, 6 per cent.....	4,129,550 00
Total amount issued.....	<u>\$5,598,050 00</u>

There have been *paid* during the same period as follows, viz:

6 per cent. Revenue Bonds of 1856.....	99,700 00
7 “ “ “ 1856.....	11,800 00
6 “ “ “ 1857.....	1,075,700 00
7 “ “ “ 1857.....	3,929,750 00
Total amount paid.....	<u>\$5,116,950 00</u>

Paid in 1857.....	\$2,218,650 00
“ 1858.....	2,898,300 00
Total.....	<u>\$5,116,950 00</u>

## ASSESSMENT BONDS.

There have been *issued* during the year ending June 30th 1858, the  
following Assessment Bonds, viz:

7 per cent. Assessment Bonds, (five years).....	\$305,200 00
6 per cent. Assessment Bonds, (one year).....	151,800 00

There have been *paid* during the same period as follows, viz:

6 per cent. Assessment Bonds of 1856, (one year).....	\$49,900 00
6 “ “ “ 1857, “ .....	62,600 00
Amount paid.....	<u>\$112,500 00</u>



## STATEMENT No. 11.

## PAVING BOWERY AND CHATHAM STREET.

*Under Contract, dated July 22, 1856.*

Work done in 1856, as certified to by Edwin Smith, by certificate, dated April 21, 1857, 14,252 square yards.

14,252 yards, at \$2 19, would be.....	\$31,209 88	
Reserved 10 per cent. ....	3,120 98	\$28,088 90

Work done in 1857, as certified by Edwin Smith, by certificate, dated May 25, 1857, 5,352 square yards.

5,352 yards, at \$2 19.....	\$11,720 88	
Reserved 10 per cent. ....	1,172 08	10,548 80

Amount paid in 1856 and 1857.....	\$38,637 70
-----------------------------------	-------------

John Pettigrew was paid:

September 17, 1856.....	\$4,380 00	
October 15, " .....	8,760 00	
October 29, " .....	6,570 00	
May 27, 1857.....	1,971 00	
June 10, " .....	3,000 00	
June 30, " .....	3,000 00	
July 22, " .....	4,000 00	
August 5, " .....	2,000 00	
September 30, 1857.....	2,500 00	
November 25, " .....	2,456 70	
		<u>\$38,637 70</u>

## 1857.—PAVING BOWERY AND CHATHAM STREET.

*Work done under the Supervision of the Croton Aqueduct Department.*

Edwin Smith, Surveyor, certificates of work done:

August 17, 1857.....	3,000	square yards.
September 2, 1857....	2,000	" "
September 10, " ....	2,000	" "
September 28, " ....	3,000	" "
October 9, " ....	3,000	" "
October 28, " ....	2,000	" "
November 11, " ....	2,000	" "
December 1, " ....	5,614	" "

Total, 1857.....22,614, at \$2 19, \$49,524 66

Less ten per cent.....4,952 46

\$14,572 20

## Amounts paid:

August 19, 1857.....	\$5,913 00
September 2, 1857.....	3,942 00
September 16, " .....	3,942 00
October 14, " .....	\$5,913 00
" " .....	3,000 00
" " .....	2,913 00 11,826 00
November 11, " .....	7,884 00
December 9, " .....	11,065 20

44,572 20

## 1858.—PAVING BOWERY AND CHATHAM STREET.

*Under Croton Aqueduct Department.*

Certificates of work done in 1858:

Amount Paid.

April 29,	3,549 sq. yds.,	at \$2 19,	less 10 per cent..	\$6,995 08
May 18,	8,181 $\frac{6}{9}$	"	"	16,126 05
June 16,	9,138 $\frac{7}{18}$	"	"	18,011 77
July 7,	10,227 $\frac{3}{9}$	"	"	20,158 08
Aug. 3,	7,951	"	"	15,671 43
Aug. 31,	12,099	"	"	23,847 13
	51,146 $\frac{7}{18}$ sq. yds.	"	"	<u>\$100,809 54</u>

## RECAPITULATION.

1856,	Certificates for 14,252 yds.,	at \$2 19,	less 10 per c.	28,088 90
1857,	"	27,966	"	55,121 00
1858,	"	51,146 $\frac{7}{18}$	"	100,809 54
		93,364 $\frac{7}{18}$		<u>\$184,019 44</u>

Payments, 1856.....	\$19,710 00
" 1857.....	63,499 90
" 1858.....	100,809 54
	<u>\$184,019 44</u>

93,364 $\frac{7}{18}$ yards, at \$6 50, contract for Russ pavement..	\$606,868 53
93,364 $\frac{7}{18}$ yards, at \$2 19, contract for Belgian pavement.	204,468 01
Difference .....	<u>\$402,400 52</u>



## STATEMENT No. 12.

## WARRANTS DEPOSITED WITH CHAMBERLAIN AND CANCELLED.

T. J. WATERS, *Comptroller.*

1833, Sept., 2 checks,	Closing Low's Lane.....	\$114 56
1834, April, 1	" Opening 25th street .....	5 00
" Sept., 3	" Widening Cedar street.....	900 00
" " 1	" Widening and improving William street.....	28 67
1848, Aug., 5	" Opening 4th avenue, from 28th to 38th street.....	5 00
" " 1	" Opening Lexington avenue.....	30 00
3	" Moneys refunded on Assessment Sales.....	596 34
Total.....		<u>\$1,679 57</u>

D. D. WILLIAMSON, *Comptroller.*

1836, June, 1 check,	Widening and opening Mill street.....	\$100 00
" July, 1	" Opening 121st street.....	5 00
" Sept., 1	" Widening New street.....	33 00
" " 3	" Opening 116th street .....	25 00
1838, Aug., 1	" Opening 57th street .....	305 50
" " 1	" Opening Stone street .....	10 00
" Nov., 1	" Opening 5th avenue .....	18 00
1839, July, 1	" Opening 48th street .....	153 41
1842, Oct., 12	" Opening 29th street .....	212 40
" " 5	" Opening 30th street .....	20 00
1836, " 1	" Charges on Assessments.....	7 00
1839, Jany., 1	" Errors and Delinquencies .....	7 00
" " 1	" Charges on Arrears of Assessments .....	43 10
Total.....		<u>\$939 41</u>

A. A. SMITH, *Comptroller.*

1839, Aug., 1 check,	Opening 5th avenue, 42d to 129th street .....	\$4 00
" Sept., 2	" Opening 31st street.....	201 75
" " 2	" Opening 35th street .....	276 00
" " 2	" Opening 46th street .....	144 00
" " 1	" Opening 130th street .....	125 44
Carried forward.....		<u>\$751 19</u>

			Carried forward.....	\$751 19
1839, Nov.,	1	check,	Opening 11th street .....	158 00
" "	2	"	Opening 27th street .....	237 00
" Dec.,	1	"	Opening 53d street .....	18 81
1840, Jany.,	1	"	Opening 6th avenue .....	1,883 00
" "	2	"	Opening 32d street.....	17 08
" "	1	"	Opening 36th street .....	1 00
" "	8	"	Opening 6th av., from Bloomingd'e r'd to 129th st.	737 00
" Feb.,	1	"	Opening 116th street .....	8 31
" "	2	"	Opening 1st avenue .....	33 00
" June,	4	"	Opening 10th avenue .....	176 13
" Aug.,	17	"	Opening 7th avenue .....	1,426 88
1841, Jany.,	8	"	Opening 83d, 84th and 85th street.....	9 20
" March,	9	"	Opening 2d avenue.....	488 93
" "	3	"	Opening 33d street.....	117 01
" "	1	"	Opening 38th street .....	13 00
" June,	2	"	Opening 34th street.....	2 00
1840, July,	1	"	Wells and Pumps.....	25 50
Total.....				<u>\$6,103 04</u>

J. EWEN, *Comptroller.*

1845, July,	3	checks,	Opening Madison avenue .....	\$343 00
1846, "	1	"	Opening 39th street.....	20 00
1847, May,	2	"	Opening Bloomingdale road .....	111 00
" "	1	"	Streets Paving.....	11 79
1848, July,	1	"	Charges on Arrears of Assessments.....	7 25
Total.....				<u>\$493 04</u>

A. C. FLAGG, *Comptroller.*

1853, March to Nov.,	10	checks,	Street Paving .....	\$1,301 31
1856, April,	1	check.....	Street Paving .....	54 00
" July, August,	2	checks....	Street Paving .....	85 50
1857, April,	1	check,	Contingencies.....	30 00
1854, June,	288	"	Opening 4th avenue.....	28,194 00
1855, Jany.,	27	"	Opening Eleventh avenue, 107th to 144th street.	27 65
" "	35	"	Opening Eleventh avenue, 48th to 59th street...	35 00
" "	10	"	Opening 85th street .....	10 00
Brought forward.....				<u>\$29,737 46</u>

Brought forward.....				\$29,737 46
1855, Jany.,	18 checks,	Opening 93d street .....		28 50
" "	1 "	Opening 11th street .....		1 00
" May,	1 "	Extending Canal and widening Walker street...		600 00
" June,	8 "	Opening 122d street .....		1,174 00
" Aug.,	52 "	Opening 129th, 130th and 131st streets .....		3,799 00
" Sept.,	1 "	Widening Duane street.....		3,400 00
" "	1 "	Opening 84th street.....		1 00
" Oct.,	14 "	Opening 80th street.....		1,836 00
" "	29 "	Opening 92d street .....		688 00
" "	32 "	Opening 83d street .....		646 00
" Dec.,	16 "	Opening 58th street .....		2,314 00
1856, Feby.,	14 "	Opening 9th avenue.....		10,306 00
" "	3 "	Opening 64th street.....		991 90
" March,	21 "	Opening 60th street.....		968 16
" "	2 "	Opening Avenue A.....		795 00
" "	5 "	Opening 61st street .....		178 12
" "	22 "	Opening 62d street .....		2,079 99
" "	1 "	Opening 67th street.....		669 51
Total.....				<u>\$60,213 64</u>



## STATEMENT No. 13.

“ DEPARTMENT OF FINANCE, COMPTROLLER'S OFFICE, }  
New York, January 8, 1853. ” }

Two requisitions are presented from your department, one for \$34,219 05, and the other for \$9,751 63.

As these requisitions are not satisfactory to my mind, I deem it my duty, as soon as practicable, to prescribe new forms for keeping and rendering these and other city accounts,

In all cases of payments on contracts, the requisition ought to state distinctly the name of the contractor, in order that the warrant on the city Treasury may be drawn in favor of the person who is entitled to the money, by the terms of his contract.

For the present, and until there is time to prepare new forms, you can make out a certificate, giving the particular items which make up the total sum, as I have suggested above, in the form given on the other half of this sheet, which can be attached to the printed requisition.

I have assumed that the requisitions are for the payments of December, and that all the sums have been earned and the articles delivered.”

The instructions referred to included a list of the several objects of expenditure, the names of the persons entitled to payment, and the amount in each case to be verified by a certificate in the following form, viz:

“ NEW YORK, January —, 1853.

“ I certify that the sum of \$34,219 05 in the annexed requisition is required to pay for services rendered in this department, during the month of December, 1852, and to pay for articles delivered, on contracts and otherwise, previous to the date of the requisition, and which sums are due from the city Treasury, by the terms of the contracts respectively.”

## STATEMENT No. 14.

EXTRACTS FROM A COMMUNICATION OF THE COMPTROLLER TO THE BOARD  
OF ALDERMEN, FEB. 9TH, 1854. (SEE DOC. NO. 16.)

*Revision of the Ordinances prescribing the Powers and Duties of the  
several Departments.*

The Comptroller respectfully invites the attention of the Common Council to the propriety, if not necessity, of several alterations and amendments of the ordinance of 1849, "Organizing the Departments of the Municipal Government," in order to adapt its provisions to the amendments of the charter.

The 13th section of the amended charter of 1853 is as follows :

" § 13. There shall be a bureau in the Department of Finance, to be called the 'Auditing Bureau,' and the chief officer thereof shall be the 'Auditor of Accounts.' It shall revise, audit and settle all accounts in which the city is concerned as debtor or creditor ; it shall keep an account of each claim for or against the Corporation, and of the sums allowed upon each, and certify the same, with reasons therefor to the Comptroller. The Comptroller shall report to the Common Council, once in ninety days, the name and decision of the Auditor upon the same, together with the final action of the Comptroller thereon. All moneys drawn from the City Treasury shall be upon vouchers for the expenditure thereof, examined and allowed by the Auditor, and approved by the Comptroller."

On the 30th of June, the Comptroller made a communication to the Board of Aldermen, (see Doc. No. 36,) calling their attention to the 13th section of the charter, and furnished the draft of an ordinance to carry its provisions into effect. The ordinance has not been adopted, nor is the Comptroller aware that there has been any action on it. Although a full compliance with the law was not practicable without the action of the Common Council, the Comptroller has required the several departments, under the last paragraph of the section, to pre-



sent to the Finance Department, before the warrants on the treasury were drawn, the detailed accounts in each case where payment was demanded. A circular was also issued on the 15th of August, 1853, in relation to the form of keeping and rendering accounts in the several departments of the city government.

The change in the fundamental law, to which reference has been made, will make it necessary to adapt the ordinance of 1849 to this new mode of drawing money from the treasury ; it being required to be done, under the new charter, on evidence that service has been rendered to the city, instead of being paid on the unexplained requisition of the Head of a Department. The alterations required apply to the Street Department ; that of Repairs and Supplies ; Streets and Lamps, &c. The ordinance of 1849 contains many excellent provisions, and some of its requirements, in regard to drawing and accounting for money, are quite rigid. In the case of the Chief of Police, for example, he is permitted to draw on the Comptroller for a sum not exceeding one hundred dollars, to meet special cases of expenditure, provided he procures the Mayor to countersign his requisition ; but he is not permitted to draw the second hundred dollars until he accounts to the Comptroller, by proper vouchers, for the expenditure of the first hundred. Other officers, by the same ordinance, are permitted to have small advances, and to account for them in a similar manner. This minute accountability forms a singular contrast with the ordinance in regard to the three principal contracting and disbursing departments, the Commissioner of each of which can make his requisition for ten thousand dollars for one bureau, twenty thousand dollars for another, and fifty thousand for another, without rendering to the Finance Department any explanation in regard to the services rendered, or the person for whom the money is intended. This has been the practice under the ordinance of 1849, and the wording of it does not discountenance such an interpretation.

There is a requirement to report once a month to the Comptroller ; but even then the ordinance does not require the rendition of vouchers to account for the money the same day. The Receiver of Taxes, under a law of the State, (chap. 230, § 8, laws of 1843,) is required to



make his deposits and account to the Comptroller daily, before three o'clock of each day. It may be said that his case is an exception, from the large sums collected. But the Collector of Assessments also receives large sums, amounting to more than a million of dollars annually. Why, then, should he be exempted from making his deposits daily, any more than the Receiver of Taxes? The Croton Aqueduct Department collects over half a million of dollars annually. Should not this department also be placed on the same footing? And in regard to the Comptroller, the Street Commissioner, and every other person who receives public money, why should they not be required to pay it over to the Chamberlain within twenty-four hours of the time of receiving it? Will it give them any more trouble to place the money in the treasury bank than in any other bank?

It is respectfully recommended that the ordinance, organizing the departments, be so amended as to require every officer, who receives money which belongs to the City Treasury, to pay it to the Chamberlain on the day it is received, or before two o'clock of the day after its receipt.

In regard to the moneys collected by the several city officers, and the sums drawn from the treasury by the disbursing departments, a practice has, heretofore, prevailed of placing these moneys in banks, at a given rate of interest, to be paid to the officer, for the use of the money belonging to the city. If interest can be derived from the revenues of the city, by deposit or loan, these earnings belong to the inhabitants of the whole county, and not to the few agents of the city, to whom is confided the important trust of collecting and disbursing the public money. When rules are established for daily deposits of the moneys received by the collecting agents, and for confining the requisitions of disbursing agents to such sums as are needed for the payment of claims actually due, if there is a surplus which can be loaned, an arrangement may probably be made with the deposit bank, to keep an interest account with the treasury, and give it the benefit of any surplus earned by the funds of the city. Such an arrangement has existed between the State Treasury and its depository for the last twenty years.

In the redemption and sale of lands for taxes, and Croton water rents, the Comptroller has sold, this year, some three thousand parcels, and has received the money on one thousand, amounting to over twenty thousand dollars ; where redemptions are made after a sale on any of these parcels, the sum is returned to the purchasers, by a check signed by the Comptroller. Since January last, fifteen hundred checks of this character have been issued. The practice, heretofore, has been, to deposit the money received by the Comptroller in the bank, and then have the Redemption Clerk fill up checks, payable to the order of the several purchasers ; these checks are signed by the Comptroller, and placed in the hands of the clerk, to be delivered on the call of the purchaser. The checks, thus filled and signed, have been turned over from each Comptroller to his successor. Statement No. 2 is a list of the remaining checks of this character, which came into the hands of the present Comptroller. These checks are drawn by four different Comptrollers, on four separate banks, and cover a period of ten years.

If the bank in which the Comptroller makes his deposit, and on which he draws his checks, fails, where then is the power in the Finance Department to reimburse the purchaser? The Comptroller can hand him the stereotyped check on the insolvent bank, but he cannot make the claimant good by a warrant on the treasury.

If, however, the money received for Croton water rents, or assessments, is deposited with the City Treasurer, the purchaser or his heirs may be sure of finding it safely reserved and ready for their call, even after the lapse of half a century.

The convenience of paying out the money by a bank check, rather than by a treasury warrant, does not justify the departure from a salutary rule of action, essential to the public interest, and necessary for the protection of the claimant on the treasury.

The State Comptroller has tax sales of ten or fifteen thousand lots at a time, and the purchasers are scattered throughout the State. They pay the amount of their bids to the Treasurer. The period of



redemption, and reimbursement of the purchaser, are similar to the regulations for the city. When a purchaser ascertains that a number of lots bid off by him have been redeemed, he procures a bill of them from the Comptroller, with a warrant on the treasury for the amount, and thus is paid. The same process is equally applicable in this city, and there is no reason for saying that there is any absolute necessity for keeping money in such cases in the hands of the Comptroller or his bank, in order to reimburse the purchasers at the sales for water rents or assessments. And it is worthy of special notice, that in regard to the sales of lands for arrears of taxes, the money is paid daily to the Treasurer, and when the purchaser calls for his money, it is paid to him by a warrant of the Comptroller on the treasury, in the precise manner that purchasers at tax sales of the State Comptroller are paid.

It is worthy of special notice, that the United States' Collector of this port has collected forty-three millions of dollars during the year ending on the 31st December last, and his deposits are made in the sub-treasury daily.

In opening new streets, and in widening old ones, the expenses are assessed on individuals, and the sums thus assessed are paid into the City Treasury through collectors of assessments in the Street Department. In many cases the property of the city is heavily assessed, to be paid from the treasury. The amount payable for such assessments last year was about \$130,000.

In widening streets, large sums are frequently awarded to individuals, which are payable by the Corporation within four calendar months after the confirmation of the report of the Commissioners of Assessment. In these cases, the money ought to be paid directly from the treasury to the person to whom it is awarded, on a treasury warrant, made payable to his order.



## STATEMENT No. 15.

## COMMUNICATION FROM THE COMMISSIONERS OF THE SINKING FUND RELATIVE TO THE PAYMENTS OF AWARDS IN THE CENTRAL PARK.

*To the Common Council:*

The Commissioners of the Sinking Fund present herewith a statement respecting the payment of awards on the Central Park. This statement has been made up from a thorough examination of accounts by a Committee of this Board appointed by the Mayor.

The payment of the awards having been nearly completed, adding over five millions of dollars to the capital of the debt placed under the charge of the Commissioners, the Comptroller requested the Board to appoint a Committee to review each payment, and to satisfy themselves in regard to the examination made by the clerks in the Finance Department; the result of which examination is given in the Comptroller's annual report for 1857, pp. 23 to 25.

The Board of Commissioners invite the attention of the Common Council to the fact stated by the Committee, that the certified copy of awards on the Central Park is the first official record furnished to the Finance Department in regard to payments from the appropriation for "Streets Opening," and the acquisition of land for public squares, &c., and the Board respectfully recommend that measures be adopted to secure, in all cases hereafter, not only a reliable statement of the awards to persons damaged, but also an official record of the assessments for benefits, and a copy of the report of the Commissioners for making the assessments and awards, for the use of the Finance Department.

The Common Council will learn from the statement of the Committee, that the mode adopted for the payment of awards on the Central Park, obviates the necessity of accumulating checks or funds in the Street Department, and all the evils incident to such a state of things as have recently been exhibited by the discovery of unclaimed checks in that department.

The Board of Commissioners also call the attention of the Common Council to another important change in closing the settlement of awards on the Central Park. Instead of an ordinary receipt in the name of the "Street Commissioner," as heretofore practised, Mr. Dillon prepared, in addition to a receipt to the Corporation, a full release to the Mayor, Aldermen and Commonalty, of all the right and title of the owner of the premises taken, duly acknowledged before a Commissioner of Deeds. These releases are bound up in five substantial volumes, thus completing an authentic record of the acquisition of lands taken from individuals for public use.

NEW YORK, July 7, 1858.

DANIEL F. TIEMANN,  
A. C. FLAGG,  
A. V. STOUT,  
GEORGE G. BARNARD,  
THOMAS McSPEDON,  
HENRY ARCULARIUS,

*Commissioners of Sinking Fund.*

---

The Special Committee appointed by the Commissioners of the Sinking Fund, June 2d, 1858, to examine the payments made of the awards for land taken in the opening of the Central Park, have very carefully examined the same and respectfully

#### REPORT :

That the basis of the payments was a copy of the original awards, certified by the Clerk of the Supreme Court to be a "correct transcript therefrom and of the whole of such original," which is on file in his office, as made by the Commissioners in the matter of opening the Central Park, and confirmed by the Supreme Court February 5th, 1856. This being the "first authentic record of awards furnished to the Finance Department as a basis for payments on the millions of dollars appropriated and paid," as stated in the annual report of the



Comptroller for 1857, (page 24) ; previous to which all payments for awards were made through the Street Department.

The total number of awards is eighteen hundred and fifty-three, and the aggregate amount, five millions sixty-nine thousand six hundred and ninety-three dollars and seventy cents (\$5,069,693 70).

The awards made to unknown owners were paid to the United States Trust Company, under an order of the Supreme Court, April 16, 1856, amounting to two hundred and eighty-two thousand seven hundred and ninety-three dollars and seventy-five cents, (\$282,793 75).

The awards to known owners were paid by the Comptroller to the persons in whose names the awards were made, as directed by an ordinance of the Common Council, passed February 29, 1856.

This is the first case in which a sett of books has been kept in the Finance Department of this description, as the payments have hitherto been made through the Street Department, and the Comptroller has never before had any official record of the awards.

Your Committee have very carefully examined the ledger account opened by direction of the Comptroller, in which every person having an award is credited with the amount awarded to him for his land, and have compared every item with the original copy of awards as certified, and find them in every instance to correspond. They have also examined every warrant issued in payment of awards and interest, and have examined the payments made in stock with the original entries, at the time the stock was issued, and find the charges on the journal to be correct in every material point. The posting from the journal to the ledger has been carefully examined and every item found to be correct, both in principal and interest.

Your Committee have not gone into the calculation of interest in each case, as it would involve more time than could be devoted to it by them.

The result of this examination may be seen by the following



## STATEMENT.

Total amount of awards.....\$5,069,693 70

Payments have been made as follows, viz:

Six per cent. stock .....	\$2,323,700 00	
Five     "         " .....	385,700 00	
Cash.....	2,298,094 89	
		<hr/>
	\$5,007,494 89	
Awards unsettled.....	64,037 70	
Less excess of mortgages over awards and overpayments.....	1,838 89	
		<hr/>
	\$62,198 81	<u>\$5,069,693 70</u>

The Mayor, Aldermen and Commonalty held mortgages on some of the property taken in excess of the awards to, the amount of.....	\$1,593 75
A. Van Valkenburgh, overpaid.....	87 12
Unknown owners,         " .....	93 75
Mayor, Aldermen and Commonalty, overpaid.....	33 27
P. Minton, overpaid.....	1 00
J. G. & M. Shradly, overpaid.....	30 00
	<hr/>
	<u>\$1,838 89</u>

The amount paid for interest on the awards to the time of payment is one hundred and sixty-one thousand nine hundred and sixty dollars and three cents (\$161,960 03).

Several payments appear to have been made to persons having no awards or interest which would entitle them to such payments, and the result of the examinations in the Finance Department satisfies your Committee that they are frauds supposed to be perpetrated by J. B. Smith, the individual who drew the warrants for the payment of

the awards and interest, said warrants being payable to the order of fictitious persons, endorsed in the name of said fictitious persons, and deposited in the Bowery Bank. These are shown by the following

## STATEMENT.

Estate of Nancy Gardiner.....	\$2,142 66
W. G. Phelps.....	179 28
Uriah Hauther.....	178 42
H. J. McGregor .....	231 72
J. W. Rowe.....	56 82
W. J. Westervelt.....	70 19
	<hr/>
	\$2,859 09
	<hr/>

The payment of awards to unknown owners, made to the United States Trust Company, did not include the interest on the same from the date of confirmation, February 5th, 1856, to the time of payment, April 16th, 1856. Upon the payment of the award to the owner, when ascertained by the Supreme Court, the Comptroller is directed by an order of the Court to pay interest to the owner for that time. An examination of the orders of the Supreme Court has been made and found to correspond nearly with the number of payments of interest; but as the time of your Committee will not allow, they have not gone into a full examination of the calculations of interest on these orders.

This examination throughout has been made with the assistance of experienced accountants, who agree with your Committee, in considering the manner in which these accounts have been kept as the only way in which such accounts can be properly kept; for they show not only the total amount of payments, but also the time and manner of settlement with each individual to whom an award was made, and any discrepancy in the payment of any of the awards must inevitably appear.

It is much more satisfactory to all concerned than the system that formerly prevailed, of paying awards by passing the warrants through the Street Department, many of which might not be called for in several years.

All of which is respectfully submitted,

A. V. STOUT,  
HENRY ARCULARIUS, } *Committee.*

---

STATEMENT No. 16.

CHAMBERLAIN'S OFFICE, SHOE AND LEATHER BANK, }  
New York, Sept. 10, 1858. }

A. C. FLAGG, ESQ., COMPTROLLER, &c.

DEAR SIR: The checks received by me from the Street Commissioner have all been paid, except the checks on the Bowery Bank. After drawing the checks on the Broadway Bank, there still remained a balance of \$90.<sup>51</sup>/<sub>100</sub> to the credit of John T. Dodge, Street Commissioner, which was paid to me on my check, and by me deposited to the credit of the City Treasury.

The checks on the Bowery Bank amount in the aggregate to \$923 49, while I find the aggregate of deposits to be \$1,154 48, standing credited as follows, viz:

John T. Dodge, Street Commissioner,.....	\$1,056 04
“ Redemption account.....	92 65
“ Disbursement account.....	5 79
	<hr/>

I have made a demand on the Receiver for the whole of these amounts, on behalf of the city.

Yours respectfully,

A. V. STOUT, *Chamberlain.*



STATEMENT No. 17.  
RELATIVE VALUE OF REAL AND PERSONAL ESTATE IN THE CITY AND COUNTY OF NEW YORK, AS ASSESSED IN 1857 AND 1858.

WARDS.	ASSESSMENTS OF 1857.		ASSESSMENTS OF 1858.		INCREASE.		DECREASE.	
	REAL ESTATE.		REAL ESTATE.		REAL ESTATE.		REAL ESTATE.	
First.....	\$37,937,067 00	.....	\$37,920,963 00	.....	.....	.....	\$16,099 00	.....
Second.....	23,449,566 00	.....	22,634,709 00	.....	.....	.....	814,857 00	.....
Third.....	21,222,956 00	.....	25,729,956 00	.....	\$1,507,000 00	.....	.....	.....
Fourth.....	9,442,270 00	.....	9,906,970 00	.....	464,700 00	.....	.....	.....
Fifth.....	14,839,550 00	.....	15,223,900 00	.....	384,350 00	.....	.....	.....
Sixth.....	10,544,350 00	.....	10,914,150 00	.....	369,800 00	.....	.....	.....
Seventh.....	12,794,975 00	.....	12,934,474 00	.....	139,499 00	.....	.....	.....
Eighth.....	16,473,072 00	.....	16,576,272 00	.....	103,200 00	.....	.....	.....
Ninth.....	13,988,400 00	.....	14,880,050 00	.....	891,650 00	.....	.....	.....
Tenth.....	8,377,800 00	.....	8,437,700 00	.....	59,900 00	.....	.....	.....
Eleventh.....	7,705,500 00	.....	8,429,800 00	.....	724,300 00	.....	.....	.....
Twelfth.....	7,371,094 00	.....	8,486,290 00	.....	1,115,196 00	.....	.....	.....
Thirteenth.....	5,156,086 00	.....	5,339,886 00	.....	183,800 00	.....	.....	.....
Fourteenth.....	10,749,600 00	.....	11,069,550 00	.....	319,950 00	.....	.....	.....
Fifteenth.....	26,019,350 00	.....	26,295,600 00	.....	276,250 00	.....	.....	.....
Sixteenth.....	15,830,400 00	.....	16,371,500 00	.....	541,100 00	.....	.....	.....
Seventeenth.....	16,159,179 00	.....	16,571,300 00	.....	412,121 00	.....	.....	.....
Eighteenth.....	33,205,780 00	.....	35,988,110 00	.....	2,782,330 00	.....	.....	.....
Nineteenth.....	8,558,654 00	.....	10,971,355 00	.....	2,412,701 00	.....	.....	.....
Twentieth.....	14,893,630 00	.....	15,730,050 00	.....	836,420 00	.....	.....	.....
Twenty-first.....	24,124,000 00	.....	26,380,200 00	.....	2,256,200 00	.....	.....	.....
Twenty-second.....	10,499,754 00	.....	11,553,506 00	.....	1,053,752 00	.....	.....	.....
	.....	\$352,343,033 00	.....	\$368,346,296 00	.....	\$16,834,219 00	.....	\$830,956 00
Resident.....	PERSONAL ESTATE.		PERSONAL ESTATE.		.....		\$175,001 00	
Non-resident.....	\$150,988,463 00		\$150,813,462 00		.....		5,193,454 00	
	17,227,986 00 \$168,216,449 00		12,034,532 00 \$162,847,994 00		.....		5,368,455 00	
Total, Real and Personal.....	\$520,559,482 00		\$531,194,290 00		Total Increase 16,834,219 00		Total decrease 6,199,411 00	
	.....		.....		Less Decrease 6,199,411 00		.....	
	.....		.....		Nett Increase 10,634,808 00		.....	

Total Valuation of 1858.....	\$531,194,290 00	Total Valuation in County.....	\$531,194,290 00
“ of 1857.....	520,559,482 00	“ in Lamp District.....	513,417,129 00
Increase over 1857.....	\$10,634,808 00	“ South of 42d street.....	499,394,031 00

## STATEMENT No. 18.

Showing the amount of old assessments settled by the Finance Department, where the property had been sold, in the years 1838, 1840, 1841, 1842, and 1843. These sales were decided to be invalid, and the property was again advertised for sale in June, 1856 :

Total amount of original assessments advertised.....	\$231,861 40
“ “ “ “ settled.....	106,155 13
Outstanding.....	<u>\$125,706 27</u>

The settlements are as follows :

By surrender and cancelment of certificates of sale and leases.....	\$41,235 50
By cash collected ...	47,768 72
Compromised on resolutions of the Common Council and by the Comptroller, on payment of the original assessment, &c.....	15,131 60
Cancelled per resolutions of Common Council.....	2,019 31
	<u>\$106,155 13</u>

P. H. KINGSLAND, *Assessment Clerk.*

## STATEMENT No. 19.

OFFICE OF RECEIVER OF TAXES, }  
New York, Sept. 14, 1858. }

A. C. FLAGG, *Comptroller.*

SIR : In compliance with your request, I herewith furnish you an account of arrears of taxes on personal estate, standing on the books of the Clerk of Personal Arrears, on the 1st of July, 1858.

Tax on personal estate for years previous to 1857.....	\$1,075,052 55
Tax of 1857 .....	470,217 38
	<u>\$1,545,269 93</u>

Respectfully yours,

WILSON SMALL, *Receiver of Taxes.*

## STATEMENT No. 20.

*Amount of Unpaid Taxes on Real Estate, from 1843 to 1857, placed in the hands of  
AUGUSTUS PURDY, Clerk of Arrears, for collection.*

1854. Oct. 26..	Amount of return:		
	Tax of year 1853.....	\$185,371 00	
	“ 1852.....	49,362 35	
	“ 1851.....	2,096 31	
	“ 1850.....	1,366 69	
	“ 1849.....	949 70	
	“ 1848.....	929 43	
	“ 1847.....	509 11	
	“ 1846.....	428 45	
	“ 1845.....	294 30	
	“ 1844.....	377 31	
	“ 1843.....	377 90	
1855. June 1..	Tax of year 1854.....		242,062 55
1856...	“ 1855.....		372,803 59
1857. June 30..	“ 1856.....		448,726 34
“	Amount returned at different times, in addition to the above, up to May 28, 1856:		502,746 01
	Tax of year 1854.....	440 14	
	“ 1853.....	529 14	
	“ 1852.....	313 33	
	“ 1851.....	315 06	
	“ 1850.....	367 09	
	“ 1849.....	317 34	
	“ 1848.....	277 75	
	“ 1847.....	271 70	
	“ 1846.....	308 64	
	“ 1844.....	39 06	
	“ 1843.....	135 37	
1857. June 30..	Amount returned as above:		3,314 62
	Tax of year 1855.....	184 00	
	“ 1854.....	27 50	
	“ 1853.....	38 16	
	“ 1852.....	10 43	
	“ 1851.....	16 66	
	“ 1849.....	12 09	
	“ 1848.....	1 50	
	“ 1847.....	11 69	
	“ 1846.....	10 00	
	“ 1845.....	1 36	
	“ 1844.....	94	
	“ 1843.....	2 09	
			316 42
	Carried forward.....		\$1,569,969 53



1858. Feb. 25..	Carried forward .....		\$1,569,969 53
	Amount returned:		
	Tax of year 1856.....	252 63	
	" 1855.....	35 90	
	" 1854.....	29 90	
	" 1853.....	35 80	
	" 1852.....	17 40	
	" 1851.....	3 67	
	" 1850.....	1 40	
	" 1848.....	7 40	
	" 1847.....	5 73	
	" 1843.....	183 59	
			573 42
	Amount of Taxes collected by the Clerk of Ar- rears, not yet charged to him:		
	Tax of year 1842.....	112 77	
	" 1841.....	153 36	
			266 13
1858. June 1..	Amount returned:		
	Tax of year 1857.....		739,061 09
	Total amount returned.....		\$2,309,870 17

*Amount of Taxes on Real Estate, collected by AUGUSTUS PURDY, Clerk of Arrears.*

1854. Dec. 31..	Amount collected:		
	Tax of year 1853.....	\$29,078 89	
	" 1852.....	5,529 01	
	" 1851.....	79 54	
	" 1850.....	5 71	
	" 1849.....	21 96	
	" 1848.....	1 29	
	" 1847.....	9 29	
	" 1846.....	7 70	
	" 1845.....	2 48	
	" 1844.....	8 08	
	" 1843.....	1 03	
	" 1842.....	90	
	" 1841.....	1 25	
			34,747 13
1855. Dec. 31..	Amount collected:		
	Tax of year 1854.....	103,752 30	
	" 1853.....	49,505 38	
	" 1852.....	11,407 20	
	" 1851.....	108 08	
	" 1850.....	185 12	
	" 1849.....	41 28	
	" 1848.....	28 87	
	" 1847.....	39 12	
	" 1846.....	26 24	
	Carried forward.....		\$34,747 13

1855. Dec. 31..	Brought forward .....		\$34,747 13
	Tax of year 1845.....	2 06	
	" 1844.....	9 80	
	" 1843.....	12 87	
	" 1842.....	1 47	
	" 1841.....	23 72	
			165,143 51
1856. Dec. 31..	Amount collected :		
	Tax of year 1855.....	117,300 79	
	" 1854.....	91,162 20	
	" 1853.....	27,591 93	
	" 1852.....	6,969 50	
	" 1851.....	514 89	
	" 1850.....	96 64	
	" 1849.....	20 57	
	" 1848.....	22 01	
	" 1847.....	29 34	
	" 1846.....	9 63	
	" 1845.....	13 66	
	" 1844.....	4 80	
	" 1843.....	11 82	
	" 1842.....	56 15	
	" 1841.....	42 36	
			243,846 29
1857. Dec. 31..	Amount collected :		
	Tax of year 1856.....	82,614 05	
	" 1855.....	89,919 30	
	" 1854.....	38,390 76	
	" 1853.....	12,724 61	
	" 1852.....	2,845 32	
	" 1851.....	113 15	
	" 1850.....	26 72	
	" 1849.....	16 45	
	" 1848.....	16 72	
	" 1847.....	10 00	
	" 1846.....	6 86	
	" 1845.....	15 78	
	" 1844.....	5 97	
	" 1843.....	110 13	
	" 1842.....	52 43	
	" 1841.....	64 47	
			226,932 72
1858. June 30..	Amounts collected :		
	Tax of year 1856.....	80,768 90	
	" 1855.....	30,493 82	
	" 1854.....	16,128 99	
	" 1853.....	5,664 48	
	" 1852.....	1,925 63	
	" 1851.....	18 89	
	" 1850.....	8 97	
	" 1849.....	44 61	
	" 1848.....	1 85	
	Carried forward .....		\$670,669 65

1858. June 30..	Brought forward.....		\$670,669 65
	Tax of year 1847.....	2 73	
	" 1846.....	2 06	
	" 1845.....	17 22	
	" 1844.....	71	
	" 1843.....	2 07	
	" 1842.....	1 82	
	" 1841.....	21 56	135,104 31
	Total Tax Collected.....		\$805,773 96
1857. June 30..	Amounts returned by Receiver of Taxes, in error, credited to account of Clerk of Arrears:		
	Tax of year 1854.....	2,861 13	
	" ".....	289 88	
		3,151 01	
	" 1855.....	2,944 34	
	" 1853.....	2,924 69	
	" ".....	164 67	
		3,089 36	
	" 1852.....	782 44	
	" ".....	17 03	
		799 47	
	" 1851.....	2 49	
	" 1849.....	6 98	
	" 1848.....	7 49	
			10,001 14
1858. Feb. 25..	Tax of year 1856.....	5,647 51	
	" 1855.....	1,025 07	
	" 1854.....	350 61	
	" 1853.....	170 31	
	" 1852.....	8 96	
	" 1849.....	46	
	" 1844.....	31	7,203 23
1858. June 30..	Amount collected.....		822,978 33
	Balance uncollected.....	747,830 75	
	Tax of year 1857.....	739,061 09	
			1,486,891 84
	Total.....		\$2,309,870 17



STATEMENT showing the amounts of Taxes returned to Clerk of Arrears, Amounts Collected &c., thereon, and the Balance uncollected on Real Estate, for each year, separately.

			Balance not Collected.
Tax of year 1841:			
Amount returned.....		\$153 36	
Amount collected.....		153 36	
Tax of year 1842:			
Amount returned.....		112 77	
Amount collected.....		112 77	
Tax of year 1843:			
Amount returned.....		377 90	
" ".....		135 37	
" ".....		2 09	
" ".....		183 59	
		698 95	
Amount collected.....	1 03		
" ".....	12 87		
" ".....	11 82		
" ".....	110 13		
" ".....	2 07		
		137 92	\$561 03
Tax of year 1844:			
Amount returned.....	377 31		
" ".....	39 06		
" ".....	94		
		417 31	
Amount collected.....	8 08		
" ".....	9 80		
" ".....	4 80		
" ".....	5 97		
" ".....	71		
Amount cancelled.....	31		
		29 67	387 64
Tax of year 1845:			
Amount returned.....	294 30		
" ".....	1 36		
		295 66	
Amount collected.....	2 48		
" ".....	2 06		
" ".....	13 66		
" ".....	15 78		
" ".....	17 22		
		51 20	244 46
Tax of year 1846:			
Amount returned.....	428 45		
" ".....	308 64		
" ".....	10 00		
		747 09	
Carried forward.....			\$1,193 13

			Balance not Collected.
Brought forward.....			\$1,193 13
Amount collected.....	7 70		
" ".....	26 24		
" ".....	9 63		
" ".....	6 86		
" ".....	2 06	52 49	694 60
Tax of year 1847:			
Amount returned.....	\$509 11		
" ".....	271 70		
" ".....	11 69		
" ".....	5 73	798 23	
Amount collected.....	9 29		
" ".....	39 12		
" ".....	29 34		
" ".....	10 00		
" ".....	2 73	90 48	707 75
Tax of year 1848:			
Amount returned.....	\$929 43		
" ".....	277 75		
" ".....	1 50		
" ".....	7 40	1,216 08	
Amount collected.....	1 29		
" ".....	28 87		
" ".....	22 01		
" ".....	16 72		
" ".....	1 85		
Amount cancelled.....	7 49	78 23	1,137 85
Tax of year 1849:			
Amount returned.....	\$949 70		
" ".....	317 34		
" ".....	12 09	1,279 13	
Amount collected.....	21 96		
" ".....	41 28		
" ".....	20 57		
" ".....	16 45		
" ".....	44 61		
Amount cancelled.....	46		
" ".....	6 98	152 31	1,126 82
Tax of year 1850:			
Amount returned.....	\$1,366 69		
" ".....	367 09		
" ".....	1 40	1,735 18	
Carried forward.....			\$4,860 15

			Balance not Collected.
Brought forward.....			\$4,860 15
Amount collected.....	5 71		
" ".....	185 12		
" ".....	96 64		
" ".....	26 72		
" ".....	8 97		
		323 16	1,412 02
Tax of year 1851:			
Amount returned.....	\$2,096 31		
" ".....	315 06		
" ".....	16 66		
" ".....	3 67		
		2,431 70	
Amount collected.....	79 54		
" ".....	108 08		
" ".....	514 89		
" ".....	113 15		
" ".....	18 89		
Amount cancelled.....	2 49		
		837 04	1,594 66
Tax of year 1852:			
Amount returned.....	\$49,362 35		
" ".....	313 33		
" ".....	10 43		
" ".....	17 40		
		49,703 51	
Amount collected.....	5,529 01		
" ".....	11,407 20		
" ".....	6,969 50		
" ".....	2,845 32		
" ".....	1,925 63		
Amount cancelled.....	8 96		
" ".....	799 47		
		29,485 09	20,218 42
Tax of year 1853:			
Amount returned.....	\$185,371 00		
" ".....	529 14		
" ".....	38 16		
" ".....	35 80		
		185,974 10	
Amount collected.....	\$29,078 89		
" ".....	49,505 38		
" ".....	27,591 93		
" ".....	12,724 61		
" ".....	5,664 48		
Amount cancelled.....	170 31		
" ".....	3,089 36		
		127,824 96	58,149 14
Carried forward.....			\$86,234 39



		Balance not Collected.	
Brought forward.....		\$86,234 39	
Tax of year 1854:			
Amount returned.....	\$372,803 59		
" " .....	440 14		
" " .....	27 50		
" " .....	29 90		
		373,301 13	
Amount collected.....	103,752 30		
" " .....	91,162 20		
" " .....	38,390 76		
" " .....	16,128 99		
Amount cancelled .....	350 61		
" " .....	3,151 01	252,935 87	120,365 26
Tax of year 1855:			
Amount returned.....	448,726 34		
" " .....	184 00		
" " .....	35 90		
		448,946 24	
Amount collected.....	117,300 79		
" " .....	89,919 30		
" " .....	30,493 82		
Amount cancelled.....	1,025 07		
" " .....	2,944 34	241,683 32	207,262 92
Tax of year 1856:			
Amount returned.....	502,746 01		
" " .....	252 63	502,998 64	
Amount collected.....	82,614 05		
" " .....	80,768 90		
Amount cancelled.....	5,647 51	169,030 46	333,968 18
Tax of year 1857:			
Amount returned.....		739,061 09	
Amount collected.....			739,061 09
TOTAL uncollected.....			1,486,891 84

*Amount of Taxes uncollected for the Years 1833 to 1842 inclusive.*

1858:				
July 1, Tax of the year 1833.....		\$5,635	11	
“ “ 1834.....		3,944	97	
“ “ 1835.....		6,744	53	
“ “ 1836.....		11,569	85	
“ “ 1837.....		13,860	43	
“ “ 1838.....		12,523	52	
“ “ 1839.....		14,802	68	
“ “ 1840.....		11,010	30	
“ “ 1841.....		7,282	98	
“ “ 1842.....		14,850	79	102,225 16
TOTAL.....				<u>\$102,225 16</u>

The above taxes are principally on personal estate, and are supposed to be not collectable.

## STATEMENT No. 21.

*Amount of Tax Levy from 1850 to 1858; also the unpaid Taxes on the 1st of June thereafter.*

	Tax Levy.	Arrearage of previous year.
1850.....	\$3,230,180 47.....	
1851.....	2,924,384 99.....	\$204,914 77
1852.....	3,378,335 08.....	200,474 03
1853.....	5,069,650 05.....	209,755 85
1854.....	4,841,255 54.....	407,299 02
1855.....	5,843,822 89.....	593,051 60
1856.....	7,075,425 72.....	744,170 12
1857.....	8,066,566 52.....	948,226 91
1858.....	8,621,091 31.....	1,041,967 55

STATEMENT No. 22.

<b>Dr.</b>	<i>Pave, Curb and Gutter, &amp;c., Eighteenth street, Tenth avenue, Hudson river.</i>	<b>Cr.</b>
	Confirmed December 14, 1855.	

1857.			Interest.
January 14,   To arrears.....	28	\$1,390 85   February 14,   By cash .....	12   \$62 76   450 67

STATEMENT No. 23.

<b>Dr.</b>	<i>Pave, Curb and Gutter, &amp;c., Eighteenth street, Tenth avenue, Hudson river.</i>	<b>Cr.</b>
	Confirmed December 14, 1855.	

		1856.		
(Transcript of assessment list.)		Feb. 11.	By cash, J. R. Taylor.....	Interest.
J. Cunningham, Contractor .....	\$3,322 18	Mar. 10.	“ do. ....	.....
Surveying .....	139 52	Dec. 22.	Returned to Bur. of Arrears, ..	\$4 74
Inspecting .....	102 00			.....
Advertising .....	50 00			.....
Assessing .....	75 68			.....
Collecting .....	94 59			.....
Total.....	\$3,783 97		Total.....	\$3,783 97



## STATEMENT No. 24.

*Arrears of Assessments on "Streets Opening," October 2d, 1858.*

Date of Confirmat'n	Folio of Ledg.	LOCATION, &c.	Am't returned to Bureau of Arrears.	Am't collected by Clerk of Arrears.	Amount still unpaid.
1839.					
Feb'y. 9,	72	7th avenue, opening, 21st to 129th street.....	.....	27 86	.....
Sept. 14,	11	2d avenue, opening, 29th to 86th street.....	.....	156 00	.....
Sept. 30,	28	41st street, opening, East to North river .....	.....	23 00	.....
1840.					
May 6,	21	10th av., opening, 71st st. to Kings Bridge road.....	.....	2 00	.....
1846.					
Mar. 1,	64	11th avenue, opening, 32d to 47th street.....	.....	25 24	.....
1851.					
May 12,	7	Lexington avenue, opening, 42d to 66th street..	15 00	.....	15 00
Oct. 9,	13	78th street, opening, 3d to 5th avenue.....	110 94	120 94	.....
1852.					
Jan. 5,	21	Washington st., opening, Gansevoort to 12th st.	601 00	460 00	141 00
May 1,	98	84th st., opening, 9th Avenue to Hudson river..	1,126 99	839 77	287 22
	103	Liberty st., opening, Broadway to Greenwich st.	12,864 83	5,294 12	7,570 71
May 24,	97	Bloomingdale road, opening, 10th av. to 86th st	5,306 50	2,599 00	2,707 50
July 19,	98	51st street, opening, 10th avenue to Hudson river,	930 75	243 00	687 75
	65	59th street, opening, 5th avenue to Broadway...	93 05	93 05	.....
Oct. 19,	115	119th street, opening, 4th to 5th avenue.....	4,703 61	2,464 01	2,239 60
Nov. 1,	75	Stuyvesant square, opening .....	2,600 30	1,425 57	1,174 73
1853.					
Jan. 10,	94	Beekman st., widening, Park row to Pearl st...	40,375 00	36,227 00	4,148 00
Mar. 8,	127	62d street, opening, 5th to 8th avenue.....	3,705 00	1,227 00	2,478 00
Mar. 15,	35	120th street, opening, 4th to 6th avenue.....	949 95	147 20	802 75
Sept. 15,	150	123d st., opening, 3d avenue to Mount Morris sq.	2,416 00	729 00	1,687 00
Dec. 8,	519	4th avenue, opening, 38th to 135th street.....	75,000 60	26,111 53	48,889 07
Sept. 7,	222	85th street, opening, 3d avenue to East river....	1,795 54	595 64	1,199 90
	223	93d street, opening, 3d avenue to East river....	1,231 51	682 11	549 40
	242	11th avenue, opening, 48th to 59th street.....	7,349 00	1,758 00	5,591 00
	272	11th avenue, opening, 107th to 144th street....	14,035 19	3,902 48	10,132 71
Sept 17,	221	11th street, opening, Dry Dock st. to East river.	694 35	278 93	415 42
Dec. 29,	235	61st street, opening, 3d to 5th avenue.....	502 00	492 00	10 00
1855.					
Jan. 4,	290	129th, 130th & 131st sts., op'g, 10th av. to H. R.	4,864 00	1,572 50	3,291 50
April 1,	331	Canal and Walker streets, widening, &c. ....	160,150 00	42,365 42	117,784 58
April 28,	317	122d street, opening, 3d to 4th avenue .....	3,934 00	53 00	3,881 00
	330	Park place, opening to College place.....	3,156 00	2,571 00	585 00
May 1,	362	Duane street, widening, Broadway to Hudson st.	64,071 00	30,705 00	33,366 00
June 15,	299	83d street, opening, 8th avenue to Hudson river,	5,159 26	3,002 56	2,156 70
	370	80th street, opening, 5th avenue to East river...	5,387 22	288 50	5,098 72
Aug. 9,	344	84th street, opening, 8th to 9th avenue.....	3,007 00	2,239 25	767 75
Sept. 29,	334	9th av., opening, Bloomingdale road to 125th st.	36,966 52	10,388 00	26,578 52
Oct. 22,	351	92d street, opening, 5th avenue to East river....	3,714 00	348 00	3,366 00
Nov. 1,	395	58th street, opening, 5th avenue to East river...	5,321 23	3,473 96	1,847 27
1856.					
Feb. 19,	414	60th street, opening, Hudson to East river.....	3,325 66	979 75	2,345 91
Mar. 2,	424	62d street, opening, Hudson to East river .....	4,241 48	256 12	3,985 36
	431	61st street, opening, 8th avenue to Hudson river,	2,896 30	434 71	2,461 59
Mar. 9,	433	Avenue A, opening, 80th to 93d street.....	2,079 54	156 86	1,922 68
May 1,	513	Bowery, extending .....	148,396 00	83,695 00	64,701 00
Aug. 1,	521	1st avenue, opening, 42d street to Harlem river.	36,394 13	4,917 50	31,476 63
Oct. 1,	508	Cliff street, widening.....	1,156 67	600 00	556 67
1857.					
Feb. 3,	485	Avenue D, opening, 10th to 14th street.....	337 00	15 00	322 00
Total.....			\$670,964 12	\$273,986 58	\$397,221 64

## RECAPITULATION.

Amount returned by Street Commissioner to Bureau of Arrears.....	\$670,964 12
Total amount collected by Clerk of Arrears.....	\$273,986 58
Less amount collected by Clerk of Arrears, not ret'd by Street Com.	244 10    273,742 48
Amount still due the Corporation on "Streets Opening," .....	\$397,221 64

## STATEMENT No. 25

FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, }  
 New York, Sept. 1st, 1858. }

To A. C. FLAGG, *Comptroller*.

Amount of revenue collected by me during the year ending June 30th, 1858 :

Dock and slip rent .....	\$156,382	81
Interest on bond and mortgage .....	32,427	33
Ground rent .....	22,684	17
Market cellars .....	14,978	51
House rent .....	16,067	66
Ferry rent .....	99,533	33
Water lot rent .....	6,092	08
Commt. of water lot rent .....	6,295	23
Principal on bond and mortgage .....	85,547	75
Interest on Fire Loan bonds and mortgage .....	4,241	20
Common land rent .....	60	00
Central Park rent .....	605	75
Night soil .....	1,194	66
Dock building .....	753	34
Total .....	\$446,863	82

Respectfully submitted,

JOSEPH ROSE, *Collector City Revenue*.

STATEMENT No: 26.

CASTLE GARDEN.

SUPREME COURT—GENERAL TERM.

---

PHILIP FRENCH and CHRISTOPHER HEISER,  
*agst.*  
The MAYOR, &c. of New York.

---

WM. M. EVARTS and R. H. BOWNE, *for plaintiffs.*

A. R. LAWRENCE, JR., *for defendants.*

---

*Opinion*—DAVIES, Justice.

The question in this case is not, What are fixtures which a tenant is at liberty to remove on the expiration of his lease? but, What did the lessees covenant with the lessors they would surrender and suffer to remain on the demised premises on the termination of the lease?

The covenants of the lease are, that on the last day of the term the lessees will surrender the demised premises, "and all the improvements that may have been placed thereon by the said parties of the second part" (the lessees); "and which improvements are to belong to the said parties of the first part," (the lessors,) "*and all of which* are to be surrendered up in as good state and condition as reasonable use and wear thereof will permit, damages by the elements excepted."

The terms of the lease are, therefore, very broad, and would seem



to comprehend all and every erection, improvement or addition made, put or erected upon said premises during the continuance of the lease. It was manifestly in contemplation of the parties to the lease, at the time of making it, that extensive improvements, changes or alterations were to be made by the lessees to adapt the demised premises to such uses and purposes as they might wish to put them to, and that these alterations and improvements were to be made at the expense of the lessees.

The lessors consented to such alterations and improvements, on condition that at the expiration of the lease they were to belong and become the property of the lessors ; and the lessees, in consideration of such permission to make alterations, repairs and improvements, on the expiration of the lease, to surrender them up in as good state and condition as reasonable use and wear thereof would permit.

The covenant is to surrender *all* the improvements that may have been placed thereon. Improvements, clearly, in the lease here used, embrace every addition, alteration, erection or annexation made by the lessees during the demised term, to render the premises more available and profitable, or useful or convenient to them. It is a more comprehensive word than "fixtures," and necessarily includes it, and such additions as the law might not regard as fixtures. It would be difficult to select a more comprehensive word ; and where the parties say that all improvements which may be placed on the premises shall belong to the lessors, it is difficult to say what, if anything, would be excluded.

Such, we think, is the view taken by the Common Pleas of England in a case not dissimilar to the present, *West vs. Blakeway*, 2 Manning & Grainger, 727.

In that case the tenant had covenanted to yield up at the expiration of his term all erections and improvements erected, made or set up during the term ; and it was held that this covenant was broken by the removal of the sashes and frame-work of a green-house erected during the term, the frame-work of which was laid upon walls built for the purpose of receiving it, and embedded in mortar thereon.

The Judges thought the parties had purposely adopted the words "erections and improvements" for the very purpose of avoiding all discussions as to what might be considered as coming within the description of a fixture.

It is very apparent that the Court in this case did not place their judgment on the assumption that the green-house was a fixture, but on the covenant to surrender all erections and improvements, and that those words were more comprehensive than fixtures.

We think the parties in this case intended, the one to surrender, and the other to receive and accept at the termination of the lease, all the improvements which should be placed thereon by the tenants during the lease, and that such improvements embraced all additions, erections or alterations made by the tenants during the term, and such as were used by them in the enjoyment of the lease.

On its expiration they became the property of the lessors, and they had a right to retain them.

It is difficult to see upon the principles here enunciated that any of the articles enumerated in the complaint in this action are not embraced in the covenants of the plaintiffs to surrender them. If any of them are not, then the plaintiffs will be entitled to recover for such, and such only.

A new trial must be had, costs to abide the event.

## STATEMENT No. 27.

## SUPERIOR COURT.

JAMES B. BRADY,

*agst.*

The MAYOR, &amp;c. of the city of New York.

A resolution was passed by the Common Council, in June, 1854, directing that curb and gutter stones be set, and flagging laid on both sides of Eighty-third street, between Third avenue and Avenue A, and the old curb and gutter reset, and the old flagging relaid where necessary, under the direction of the Street Commissioner.

In pursuance of this resolution, Mr. Furey, the Street Commissioner, issued an advertisement for proposals for doing the work. The advertisement required that estimators should state in their proposals "the price for furnishing and setting curb and gutter stones, per running foot, including the necessary regulating of the street, and removing or furnishing earth, if required; the price per square foot for flagging, including the regulating of the sidewalks, and the furnishing the sand and gravel in which it shall be laid, and covered, &c.; the price per cubic yard for removing rock, if any should be found."

It also stated the following as "the estimate of the work and materials by which the bids will be tested, viz: 3,840 running feet of curb and gutter stone, and 15,600 square feet of flagging."

The general ordinance of 1849, in relation to work done or supplies furnished for the Corporation, requires that each proposal issued by a head of department for work to be done, shall state the nature and intent as near as possible, of the work required; see ordinance, Sec. 496, sub. 2.



There were four bids received by the Street Commissioner, under the advertisement issued by him, viz: John Slattery, B. McCabe, James B. Brady, and J. Hodgins. Messrs. McCabe and Brady alone bid upon or estimated for rock excavation, the former offering to excavate rock for \$5 per cubic yard, the latter at \$25 per cubic yard.

It will be at once observed that the lowest bidder upon rock excavation, and consequently the lowest bidder upon the whole work, could not be ascertained, because there was no estimate of the probable amount of such excavation contained in the advertisement or proposal of the Street Commissioner. Mr. Brady was the lowest bidder upon setting curb and gutter, and flagging, and as these were the items by which the comparative amounts of the bids were to be ascertained, the contract was awarded to him. Upon the completion of the work in November, 1854, it appears by the surveyor's return, that the contractor had excavated 943 cubic yards of rock, and that he was therefore entitled to receive for that kind of work alone the enormous sum of \$23,575: the contract had been awarded at the estimated sum of \$3,709. Upon these facts being brought to the notice of the Comptroller, and upon an examination of the contract, he immediately took the ground that the contract was void, because it had not been given to the lowest bidder, and a communication was subsequently addressed by him to the Common Council, stating the facts and his opinion thereon. Mr. Dillon, the Corporation Counsel, also gave an opinion to the Board of Aldermen, in December, 1855, that the contract was void. In August, 1856, however, an assessment was confirmed by the Common Council, to defray the expenses of the work. The assessment amounted to \$28,746, \$23,653 85, of which was assessed upon the Corporation. Seventy per cent. of the contract price had been paid to Mr. Brady, before the discovery of the illegality of the contract. Notwithstanding the confirmation of the assessment, the Comptroller refused to pay the contractor the balance. Mr. Brady then commenced an action in the Superior Court, against the Corporation, to recover the balance. The cause was referred to ex-judge Cowles, who decided that the contract was void, but that the confirmation of the assessment amounted to an agreement on the part of the Corpora-

tion to pay the contractor the contract price, and that the same was binding. Accordingly, the Referee gave judgment against the city for \$8,827 92. From this judgment the defendants appealed to the General Term of the Superior Court, where the cause was argued in October last, by Mr. Lawrence, the Assistant Corporation Counsel, for the appellants and by Mr. Willard, for the respondent. The General Term reversed the judgment, and ordered a new trial. By the opinion of the Court, which has been recently filed and which was delivered by the Hon. Lewis B. Woodruff, it appears that the following were the grounds of its decision, viz:

1. That the Charter of 1853 requires all work involving an expenditure of more than \$250 shall be done by contract, on sealed bids, and that all such contracts, when given, shall be given to the lowest bidder. A contract entered into by the officers of the Corporation, in violation of this provision, is illegal and void, and imposes no obligation on the city.

2. That although bids are advertised for and received, yet if they are tested by a comparison which brings into view only a part of the work contracted for, and by such means the contract is awarded to one who was not in fact the lowest bidder, the contract is invalid.

3. Where the officers of the Corporation called for bids for flagging sidewalks, and laying a curb and gutter, and the making of excavation of earth and rock, and stated that the lowness of the bids would be tested only by the price at which the bidders offered to lay the flagging and curb and gutter—Held that a contract awarded upon such a test, when it was impossible to determine by such test who was the lowest bidder, was void in respect to the excavation.

4. Where the contract under which the work is done is void, because entered into in violation of the charter, the contractor cannot recover for the work in any form, neither under the contract nor upon a *quantum meruit*.

5. A subsequent ratification of the contract by the Common Council, whether before or after the work is done, does not make it binding on the Corporation.



6. When the officers of a corporation do an act, in excess of the corporate power, the corporation is not bound, and when the statute under which the corporation acts, restricts its action to a particular mode, none of the agents through whom the corporation acts can bind it in any other than the mode prescribed.

7. The officers of the Corporation cannot, therefore, in such a case, bind the Corporation by accepting the work, or confirming an assessment to pay the expense thereof.

8. Those who deal with a corporation, whose mode of action is thus limited, must take notice of the restrictions in its charter, and see to it that the contracts on which they rely, are entered into in the manner authorized by the charter.



# INDEX.

## A.

Authority to borrow on Revenue Bonds.....	6
Appropriations and Expenditures.....	7, 57, 58
Arrears of Taxes.....	36, 89, 90, 98
"    of Assessments.....	39
"    of Streets opening.....	43, 100
Assessment Bonds.....	69
Awards, payment of.....	82
Assessments settled.....	89

## B.

Brick Church property.....	12
----------------------------	----

## C.

Charter requires Comptroller to report.....	5
Commissioners of Records.....	19
Claims for Unpaid Taxes and Assessments.....	34
Collector City Revenue, receipts.....	45, 101
Castle Garden.....	47, 102
Central Park Police.....	48
Contract, Eighty-third street, Third avenue and Avenue A.....	49, 105
Clerks and Accounts, Finance Department.....	50
City Debt.....	66, 67
Commissioners of Sinking Fund, Communication.....	82

## E.

Expenditures and Receipts.....	8, 11, 59
Eighty-third street, Third avenue and Avenue A .....	49, 105

## F.

Form of Requisitions.....	76
Form of Accounts .....	99

## L.

Law Expenses .....	45
--------------------	----

## O.

Ordinances, Revision of.....	77
------------------------------	----

## P.

Pavement of Chatham street, Bowery, &c.....	14, 70
"    Belgian .....	18
Police, Central Park.....	48

## R.

Revenue Bonds.....	6
Receipts and Expenditures.....	8, 11, 59
Revision of Ordinances .....	77

# INDEX.

iii.

## S.

Sinking Funds .....	10, 64, 65, 66, 67
Sale of Brick Church property .....	12
Stock Clerk .....	53
Sinking Fund Receipts .....	64, 65
"    "    City Debt .....	65, 67
"    "    Stocks and Securities held .....	68

## T.

Taxes from 1850 to 1858 .....	8, 62, 98
Treasury Loan Account .....	69

## U.

Unclaimed Warrants .....	25, 73, 87
Unpaid Assessments and Taxes .....	34

## V.

Valuations, Real and Personal Estate .....	33, 88
--	--------



of Stock (Common property)  
Stock  
Sinking Fund Receipts  
City Debt  
Stocks and Securities

Estimated Amounts  
Fixed Assessments and Fees

DOCUMENT No. 18.

---

BOARD OF ALDERMEN,

OCTOBER 14, 1858.

---

The following report of the Joint Committee on Accounts, on accounts of Collectors of Assessments, with schedule of returns of unpaid assessments prior to 1853, not formally returned to Bureau of Arrears (presented to this Board, October 4th, 1858,) was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

---

*To the Honorable the Common Council:*

In the report presented by this Committee to the Common Council, on the 6th of May last, the following was presented as the plan to be pursued in the progress of our work:

1. To ascertain the amount placed in the hands of Collectors for collection.
2. To ascertain the amount of moneys collected by them and paid into the treasury.
3. To ascertain whether the amount of unpaid items agrees with the balance of their accounts.
4. To make a correct return of this amount with the

names of the delinquents, according to law, and to charge the same to the clerk of Arrears.

5. To post up, against the delinquents, the receipts by the Clerk of Arrears, on the returns so placed in his hands.

6. To ascertain that the amount of unpaid items agrees with the balance of his accounts. The same course to be pursued in regard to the real and personal taxes.

The labor involved in the foregoing has been greater than was anticipated by your Committee. A strong force has been employed, and the work is not yet completed. The result of every day's examination has revealed to us more and more of delinquencies, errors and deficiencies.

The work of the Street Department, of the Finance Department, of the Bureau of Assessments, (so far as it relates to this branch of the work,) for five years past, and which has been either totally neglected, or, if not neglected, mystified and confused by errors of all kinds and descriptions, by frauds, erasures and alterations.

The work of five years, and of a dozen clerks, has all had to be done over again by this Committee, in order to learn,

1st. The amount of deficiency now due the city.

2d. The true state of the accounts with collectors in the Street and Finance Departments.

3. The rights of property owners, who are suffering beyond measure, the burdens of a heavy taxation and assessments.

4th. Also to ascertain what liens are now standing against the property of citizens, which have been paid, but not discharged of record.



The ingenuity and shrewdness displayed in concealing delinquencies, in twisting and turning accounts, so as to deceive and mystify, is truly astonishing. One half of the ability wasted in this particular, if applied to a correct system of doing business, would have made the several departments of our city governments models worthy of imitation.

Enough has been said in previous reports, in general terms, about the disorder and confusion of our several departments. It now becomes our duty to specify. Hitherto no names have been given in this connection, other than contractors and a clerk in the Finance Department. But when the statements which we now publish are read and understood, the public will hold to a rigid accountability, the several persons holding the offices of Street Commissioner, Deputy Street Commissioner, Collector of Assessments and Taxes, Assessors and the Finance Department.

Hence our duty must be done fearlessly and fairly; whoever is in the wrong must bear the blame.

This report is presented at this time, to satisfy the inquiries of individual members of the Common Council, as well as the public, whose impatience to learn the results arrived at by your Committee will not allow them to wait until we have completed our labors.

No man who has not personally examined the extent and character of the duties of this Committee, can form an adequate idea of the labor and time required for their performance. The labors of the Commissioners of Record, notwithstanding their heavy expenditures, are not as difficult or important as the labors of this Committee.

Schedule No. 1, accompanying this report, is a list of assessments not closed, showing the total amount of liens standing on the records unpaid, confirmed prior to the 1st of January, 1853.

On the 20th of July, 1853, a law was passed, directing the Street Commissioner to furnish the Clerk of Arrears "a separate return, with particulars of all arrears remaining unpaid on each and every assessment, without delay, on the expiration of twelve months." The "Bureau of Arrears," under the act authorizing its establishment did demand of the Street Department a full return of all unpaid assessments, which demand has never been replied to, so far as this schedule is concerned.

On the first day of March, 1854, and on May first, July third, August fifth, and almost monthly since that time, Mr. Augustus Purdy, Clerk of Arrears, has called upon the several Street Commissioners to send to his bureau a correct return.

The returns on this schedule, three hundred and forty-one in number, and containing upwards of four thousand different liens on real estate in the city and county of New York, amounting in the aggregate, to \$195,831 52, has never been returned to the "Bureau of Arrears."

A large portion of this amount is known to have been paid, and the general opinion is, that all, or nearly all of this amount has been paid, but not credited.

A full and complete return, in detail, has been made by Your Committee, from the books of records, which forms the commencement of the account and organization of the Bureau of Arrears.

It is not difficult to perceive how wide spread are the difficulties in the way of transfers of property, and the inconveniences, trouble and hindrances which annoy and perplex the owners of property.

In the opinion of your Committee, nearly, if not quite all of this amount of \$195,831 52, will ultimately have to be charged to profit and loss.

Continuing our labors from this point, we commence the year 1853, with the commencement of the official term of Isaac Edwards, Collector of Assessments, and his deputies, Robert McGary, Julius Johnson, Robert McKinnin and Samuel Allen, who were appointed by James Furey, Street Commissioner, whose term of office commenced about the same time.

In order to fully understand the errors committed under the administration of these officers, and for which they should be held responsible, we commence to lay before the Common Council and the public a statement of each individual account, taking them up in their order.

The errors are of the following kinds:

- 1st. Errors in footing assessment lists.
- 2d. Assessments paid in the treasury, but not discharged of record.
- 3d. Assessments discharged of record, but not paid into treasury.
- 4th. Assessments paid to collector, not paid in treasury, and not discharged of record.
- 5th. Assessments not discharged, and not returned to Bureau of Arrears.



6th. A class of errors, which cannot be ascertained as yet, consisting of payments paid to collectors, the money retained by them, and no entry whatever on the books to show it. These cases are found out by parties exhibiting their receipts for payments.

#### INDIVIDUAL ACCOUNTS.

ISAAC EDWARDS,  
*and his Deputies.*

No. 1. Assessment for paving Broadway and Seventh avenue, from Forty-second to Forty-sixth street. On this list, map No. 74, \$60 90 stands against the property. It has been paid in treasury, but not discharged of record.

ROBT. MCGARY, *Dep. Col.*

No. 2. Filling in, regulating and grading Eleventh avenue, from Twenty-ninth to Thirty-third street. On this list the following map numbers are paid in treasury, but not discharged of record: Nos. 39, 40, 41, 42, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104 and 105, amounting to . . . . . \$581 32

SAML. ALLEN, *Dep. Col.*

No. 3. Sewer in Chatham street, from sewer in Mott street to Walker street, in the Bowery. On this list, map Nos. 130 and 74, are paid in treasury, but not discharged of record. Amount . . . . . \$4 70

SAML. ALLEN, *Dep. Col.*

No. 4. Flagging One hundred and twenty-second street, from Third avenue to Harlem river. The collector, in making his return to the Bureau of Arrears, omitted map Nos. 2 and 34, standing upon the record, amounting to . . . . . \$19 02

These items may or may not be paid. They are not returned to the Bureau of Arrears.

ROBT. MCGARY, *Dep. Col.*

No. 5. Paving and laying cross-walks in Broadway, Fortieth to Forty-second street, map No. 45.....\$7 41

Paid in treasury, but not discharged of record.

ROBT. MCKINNIN, *Dep. Col.*

No. 6. Flagging south side of Thirtieth street, Tenth avenue to Hudson river, map No. 38.....\$12 15

Paid in treasury, but not discharged of record; map No. 47, \$12 15, paid to collector, but not deposited in treasury, and not discharged of record.

ROBT. MCGARY, *Dep. Col.*

No. 7. Widening Beekman street, map No. 13, A; paid in treasury, but not discharged of record.....\$3,100

SAML. ALLEN, *Dep. Col.*

No. 8. Regulating Thirty-fifth street and Second avenue, map No. 44; paid in treasury, but not discharged of record..... \$4 59

SAML. ALLEN, *Dep. Col.*

No. 9. Washington street, sewer from Rector to Morris street. Due from collector, as per following statement..... \$57 62

Amount of assessment list..... \$2,790 70

Amount deposited in treasury.....\$2,568 02

Amt. returned to Bur. of Arrears. 165 06 \$2,733 08

Balance due..... \$57 62

ROBT. MCGARY, *Dep. Col.*

N. 10. Paving Seventeenth street, from Avenue A to the East river, map No. 7, B; paid in treasury, but not discharged of record.....\$17 90

ROBT. MCKINNIN, *Dep. Col.*

No. 11. Flagging sidewalks in Thirty-third street, from Fourth to Sixth avenue. Collector overpaid on this account.....\$27 84

ROBT. MCGARY, *Dep. Col.*

No. 12. Building sewer in Thirty first street, from Seventh to Sixth avenue, map No. 58; paid in treasury, but not discharged of record.....\$1 43

SAML. ALLEN, *Dep. Col.*

No. 13. Paving Thirty-sixth street, from Fifth to Sixth avenue, map No. 14, A; paid in treasury, but not discharged of record.....\$25 57

Map No. 16, B, paid in treasury, but not discharged of record..... 18 00

---

\$43 57

ROBT. MCGARY, *Dep. Col.*

No. 14. Fifteenth street, grading from Avenue A to B.

Map No. 15, A, paid in treasury, but not discharged of record.....\$15 00

Map No. 15, B, paid in treasury; but not discharged of record..... 19 03

Map No. 15, C, paid in treasury; but not discharged of record..... 3 00

---

\$37 03

Short on deposit..... 13 72

---

\$50 75

ROBT. MCGARY, *Dep. Col.*



No. 15, Duane street, widening, Samuel Allen, Deputy Collector.

The amount of unpaid items taken from book  
of record, is ..... \$82,627

Map No. 39, Jno. Lovejoy, (Lorillard estate).....	\$3,000
"      40,                    "                    "                    .....	3,000
"      41,                    "                    "                    .....	3,000
"      42,                    "                    "                    .....	3,575
Carried forward.....	<u>\$12,575</u>

Brought forward.....	\$12,575
Map No. 69, Dennis Harris .....	1,600
“ 138, Spear Piton .....	195
“ 182, J. T. Jones .....	375
“ 209, James Harrison.....	645
“ 215, W. A. Rodman.....	710
“ 221, Samuel Main.....	860
“ 231, J. H. Wood.....	186
“ 232, “ .....	130
“ 264, Jno. Ridley.....	500
“ 270, J. L. Esteve .....	500
“ 339, Kate Ridgley .....	280
Total .....	<u>\$18,556</u>
From total amount unpaid, as per record.....	82,627
Deduct amount paid and not marked off, as above stated .....	<u>18,556</u>
Leaves true amount uncollected.....	\$64,071

The following, therefore, is a true statement of the account:

Amount of assessment list.....	\$272,000
Paid into treasury by collector .....	\$196,341
Amount unpaid.....	64,071
	<u>260,412</u>
Deficiency .....	\$11,588

No. 16, Fifty-third street, regulating and grading, from Third to Sixth avenue. Date of confirmation, December 12, 1855. Isaac Edwards, Collector; Samuel Allen, Deputy Collector:

Amount of assessment list.....			\$21,203 97
Amount paid into treasury and credited to this account for col- lection.....		\$8,887 67	
Amount of return of unpaid items prepared from book of record.	12,316 30		\$21,203 97

---

By this statement, the account ap-  
pears balanced; the total of pay-  
ments into the treasury, and the  
total of items standing as unpaid  
on book of records, added to-  
gether, making a sum just equal  
to the amount of the assessment  
list. An examination of the re-  
turn of unpaid items made to the  
Bureau of Arrears, reveals a dif-  
ference and apparent deficiency  
to the treasury of..... \$3,903 88

Amount of return of unpaid items, as per book of record, as above stated.....			\$12,316 30
---	--	--	-------------

Amount of return of unpaid items made by Collector of Assessments to Bureau of Arrears.....		8,427 20	
---	--	----------	--

Deduct from this sum, amount re-  
turned on map, No. 97, \$118 81

Less amount on map No.

97, per record.....	104 03	14 78	8,412 42
---------------------	--------	-------	----------

---

Deficiency.....			<u>\$3,903 88</u>
-----------------	--	--	-------------------



The following differences between the two returns are explanatory of this deficiency:

Map No. 20, assessed at.....	\$118 81	
“ 21, “ .....	118 81	
“ 22, “ .....	118 81	
“ 23, “ .....	118 81	
“ 24, “ .....	118 81	\$594 05

These numbers are not cancelled on records, but were originally included in the collector's return to Bureau of Arrears. An ink line has been drawn through them, and the words "Paid December 29th," written opposite. They are not included in the footing of the return.

The following numbers have been apportioned as appears by Apportionment Book:

No. 130 A.....	\$8 85	
B.....	5 93	\$14 78
No. 131 A.....	95 04	
B.....	127 79	223 83
		<hr/> \$237 61

Of the above are included in the collector's return to Bureau of Arrears, as unpaid:

Apportionment B, No. 130.....	\$5 93	
“ A, No. 131....	95 04	100 97 \$136 64

Making a difference between the said return and records in these two numbers \$136 64

The following items are *not cancelled* on records, *not included* in the collector's return to Bureau of Arrears:

Map No. 1.....	156 04	
“ 2.....	91 54	
“ 36.....	14 78	
“ 37.....	14 78	
“ 38.....	14 78	
“ 39.....	222 83	
“ 40.....	118 81	
“ 41.....	118 81	
“ 42.....	118 81	
“ 43.....	118 81	
“ 44.....	118 81	
“ 45.....	118 81	
“ 46.....	118 81	
“ 47.....	118 81	
“ 48.....	118 81	
“ 65.....	118 81	
“ 66.....	118 81	
“ 67.....	118 81	
“ 102.....	104 03	
“ 103.....	118 81	
“ 114.....	202 03	
“ 132.....	95 04	
“ 133.....	101 83	
“ 134.....	101 83	
“ 135.....	101 83	
“ 136.....	101 83	
“ 137.....	101 83	
“ 138.....	101 83	
“ 139.....	101 83	3,173 19
Total deficiency.....	\$3,903 88	

The deputy's return to the collector, on this assessment, cannot be found though a thorough search has been made.

This account affords an apt illustration of the ingenious methods adopted to conceal a deficiency, and of the advantage taken of the omission to properly audit and record accounts in the Finance Department.

Had the items which are paid and withheld from the treasury been cancelled in the records, a comparison of the records with the payments into the treasury would have shown the fact. Had they been included in the return to the Bureau of Arrears, the due notification to the parties owning the property, from that bureau, would have brought the payments to the notice of the Clerk of Arrears, by the persons interested.

By omitting the paid items from the returns to the Bureau of Arrears, and by omitting also to cancel them on the books of record, an ordinary examination of the records, as well as of the payments into the treasury, would show an account without discrepancy or deficiency.

It is only when the title to the property is searched that the owner who has paid his assessments becomes aware, that notwithstanding the payment of his assessment, it still remains on the the records as a lien upon his property; and, as the property is not returned to the Bureau of Arrears, the city fails to recover the amount of the assessment by a sale. Furthermore, owing to the want of proper books of accounts in the Finance Department, the Comptroller, in the absence of all examination, has no mode of ascertaining to what extent the assessment bonds, issued in anticipation of the payments for as-



sessments, exceed their legitimate amount. To the extent that the outstanding assessment bonds represent paid assessments, such as above described, but which are supposed by the Comptroller to be unpaid and collectable, and to the extent that the assessments on the property belonging to the Corporation, (which are only collectable from taxation,) are similarly represented, a floating debt, bearing interest, is constantly being created and augmented; none the less real or formidable, that it does not figure conspicuously in official reports, as the tax payers will learn, when the fiction of collectable assessments is dispelled by the unavoidable fact which some future tax levy will exhibit.

Your Committee cannot yet determine the amount of floating debt thus created, as it involves the examination of all the assessment accounts, as well as of the Corporation assessments, which examinations are being prosecuted with due diligence.

Reference was made, in the report presented to your Honorable Body, on the 27th of May, to the unsatisfactory condition of the real estate account of the city. It neither indicates the actual cost to the city, nor an approximation to the market value of the property.

This is to be regretted, not only for the reason that method and accuracy are of the first importance in all the accounts of the city, but because the state of this particular account is so intimately connected with the city credit. The Corporation has frequent occasion to borrow money to large amounts, and its ability to negotiate loans on the most favorable terms, is seriously impaired by a meagre exhibit of its assets.

The city, no more than an individual, can expect to command money at the lowest rates of interest, without as favorable account of its resources, of whatever nature, as the facts will warrant.

There seems no reason why the most wealthy city of the country should not, also, have a credit in the money market, commensurate with its ability to pay its obligations. At the present time, when capitalists are eager to invest their means in securities of the general government, bearing four per cent. interest, the Comptroller finds himself obliged to pay six per cent. on money borrowed on Corporation bonds. The unsatisfactory condition of the accounts of the Finance Department has a strong tendency to disturb the confidence of capitalists in the value of city securities, and the weight of excessive interest falls where deficiencies and frauds also bear the hardest upon the tax payers.

No. 17. Sixty-second street, opening, from Fifth to Eighth avenue; there is a deficiency in this account of.....\$457 00  
There is also an error in footing assessment list of 10 00  
On this list, map No. 17, there has been..... 480 00  
paid into the treasury, but the lien has not been discharged of record.

ROBT. MCKINNIN, *Dep. Col.*

No. 18. Second avenue sewer, from Twenty-eighth to Twenty-ninth street, map No. 20, paid in treasury, but not discharged of record..... \$10 85

ROBT. MCKINNIN, *Dep. Col.*

No. 19. Thames street, sewer, from Greenwich to Tem-

ple street, map No. 17; paid to collector, but not in treasury, and not discharged of record..... \$57 23

ROBT. MCGARY, *Dep. Col.*

No. 20. Sewer in Water street, Fulton to Beekman street, map No. 10; paid to collector, not paid in treasury, and not discharged of record.....\$49 08

ROBT. MCGARY, *Dep. Col.*

No. 21. Twentieth street, paving, from Avenue A to East river, map No. 9, paid in treasury, but not discharged of record.....\$23 27

ROBT. MCGARY, *Dep. Col.*

No. 22. Fourth avenue, opening, from Thirty-eighth to One hundred and thirty-fifth street; there is a deficiency in this account of.....\$3,027 58

Total amount of assessment placed in collector's hand, for collection .....\$219,050 00

Amount deposited in treasury...\$143,713 82

Unpaid items on book of record 73,359 50 217,103 32

\$1,946 68

To which must be added the following items, standing on the records as unpaid, but which have been paid and not discharged of record, as per collector's return to Bureau of Arrears. If paid, the money has not been deposited in the treasury:

Map No. 469..... \$22 00

" 714..... 18 40

" 959..... 20 00

Carried forward..... \$60 40



Brought forward.....		\$60 40
Map No. 960.....		19 00
" 961.....		18 00
" 962.....		17 00
" 963.....		8 00
" 1632.....		10 00
" 1921.....		7 00
" 2111.....		8 00
" 2112.....		8 00
" 2173.....		5 00
" 2510.....		1 00
" 2511.....		1 00
" 2512.....		1 00
" 2513.....		1 00
" 2531.....		10 00
" 2532.....		11 00
" 2621.....		16 00
" 2967.....		21 00
" 2968.....		20 00
" 3204.....		11 00
" 3205.....		12 00
" 3333.....		20 00
" 3334.....		19 00
" 3404.....		15 00
" 3425.....		7 00
" 3426.....		8 00
" 3427.....		8 00
" 3428.....		9 00
" 3429.....		10 00
" 3430.....		11 00
" 3431.....		12 00
Carried forward.....		<u>\$384 40</u>

Brought forward.....		\$384 40
Map No. 3432.....		13 00
" 3433.....		14 00
" 3434.....		15 00
" 3435.....		16 00
" 3436.....		16 00
" 3537.....		40 00
" 3840.....		1 00
" 3841.....		1 00
" 3842.....		1 00
" 3843.....		1 00
" 3845.....		1 00
" 3846.....		1 00
" 3869.....		4 00
" 3870.....		6 00
" 3871.....		8 00
" 3872.....		9 00
" 3873.....		11 00
" 3874.....		13 00
" 4107.....		37 00
" 4108.....		33 00
" 4109.....		33 00
" 4110.....		33 00
" 4111.....		33 00
" 4112.....		33 00
" 4113.....		33 00
" 4114.....		37 00
" 4844.....		7 00
" 5043.....		1 00
" 5044.....		0 50
" 5101.....		2 00
Carried forward.....		\$837 90

	Brought forward.....	\$837 90
Map No.	5155.....	10 00
"	5156.....	11 00
"	5157.....	12 00
"	5158.....	13 00
"	5336.....	16 00
"	5337.....	16 00
"	5338.....	17 00
"	5848.....	4 00
"	5846.....	9 00
"	5847.....	10 00
"	5848.....	11 00
"	5849.....	12 00
"	5850.....	13 00
"	5851.....	6 00
"	5912.....	18 00
"	5925.....	6 00
"	5926.....	13 00
"	5927.....	12 00
"	5928.....	11 00
"	5929.....	10 00
"	5930.....	9 00
"	5931.....	4 00
		<hr/>
		\$1,080 90
To which add deficiency as above.....		\$1,946 68
		<hr/>
		\$3,027 58

SAML. ALLEN, *Deputy Collector.*

No. 28. Sewer in East Twentieth street, Avenue A, to First avenue, Map No. 19; paid in treasury, not discharged of record.....\$25 90

SAMUEL ALLEN, *Dep. Col.*



No. 24, sewer in Duane street, City-Hall place to Chatham street, map No. 2; paid in treasury, not discharged of record ..... \$53 40

SAMUEL ALLEN, *Dep. Col.*

No. 25, sewer in Perry street, Greenwich avenue to Hudson river:

Amount of assessment list ..... \$10,308 03

" deposited in treasury ..... \$9,925 99

" of unpaid items on record,  
to be returned to Bureau  
of Arrears ..... 381 96 10,307 95

Short on this account ..... 08

Map No. 140, not on collector's return, and  
probably paid ..... 58 08

Deficiency in this account ..... \$58 16

SAMUEL ALLEN, *Dep. Col.*

No. 26, re-paving Duane street, from Washington to West street.

ROBERT MCGARY, *Dep. Col.*

Amount of assessment list ..... \$943 64

" of collections in treasury ..... \$784 20

" of unpaid items on record ..... 133 44 917 64

Deficiency in this account ..... \$26 00

No. 27, sewer in Fifteenth street, Sixth and Seventh avenues:

Amount of assessment list ..... \$2,494 12

" of deposit in treasury ..... \$2,383 68

" unpaid items on record ..... 65 24 2,448 92

Deficiency in this account ..... \$45 20

ROBERT MCGARY, *Dep. Col.*

No. 28, Second avenue, regulating Section A.

Amount of assessment list.....	\$98,975	61
“ deposit in treasury.....	57,341	33
“ of unpaid items on record..	42,023	49
		99,364
		82
Amount over-paid as shown by the books.	\$389	21

The following items have been paid to collector, with which he must be charged:

Map No. 1394.....	\$15	45
“ 1207 .....	9	14
“ 1206 .....	9	14
“ 1136 .....	18	90
“ 772 .....	5	00
“ 648 .....	224	43
“ 647 .....	130	75
“ 564 .....	88	25
“ 254.....	100	00
		601
		06

Showing a deficiency in this account of ..... \$211 85

No. 29, Eleventh avenue opening Forty-eighth to Forty-ninth street.

Amount of assessment list.....	\$21,364	65
“ deposited in treasury.....	\$11,791	00
“ unpaid on record.....	7,260	00
		19,051
		00

Short on this account as shown by the books.. 2,313 65

To which must be added map No. 630, paid... 18 00

Showing a deficiency in this account of. \$2,331 65

No. 30, sewer in Second street, from First avenue to Bowery:

Amount of assessment list.....	\$3,491	44
“ deposited in treasury.....	\$2,000	52
“ of unpaid items returned to Bureau of Arrears.....	490	92    2,491 44
Deficiency on this account.....	\$1,000	00

### RECAPITULATION.

Case No. 6, deficiency.....	\$12	15
“ 9, “ .....	57	62
“ 14, “ .....	50	75
“ 15, “ .....	11,588	00
“ 16, “ .....	3,903	88
“ 19, “ .....	57	23
“ 20, “ .....	49	08
“ 22, “ .....	3,027	58
“ 25, “ .....	58	16
“ 26, “ .....	26	00
“ 27, “ .....	45	20
“ 28, “ .....	211	85
“ 29, “ .....	2,331	65
“ 30, “ .....	1,000	00
Total deficiencies on above lots.....	\$22,419	15

Other results arrived at in the progress of the examination of this work, will be reported to your Honorable Body, as soon as ascertained. A further report will be laid before you in a few days. It must be borne in mind by the Common Council and the public, that the various deficiencies mentioned in this report, are only of the principal, not of interest. The interest has not yet been calculated.



The following receipts for monies paid for liens, which are not discharged of record, have been exhibited to your Committee:

Dec. 17, 1856, Robert McKinnin's receipt for..	\$430 07
Jany. 18, 1855, do.....	21 30
May 24, 1855, do.....	29 00
July 17, 1855, do.....	15 32
April 28, 1855, do.....	220 00
“ “ do.....	2,998 01
Dec. 29, 1856, Julius Johnson, do.....	56 87
Oct. 15, 1856, do.....	111 55
Oct. 18, 1856, do.....	18 03
June 17, 1856, do.....	111 00
Dec. 10, 1856, do.....	450 77
Sept. 8, 1855, do.....	554 23
Oct. 9, 1854, Samuel Allen, do.....	512 76
Dec. 13, 1854, do.....	214 48
July 10, 1855, Robert McKinnin, do.....	85 63
July 17, 1855, do.....	15 00
Feby. 4, 1854, do.....	15 47
Jany. 18, 1855, do.....	21 30
April 3, 1855, Julius Johnson, do.....	316 95
Oct. 6, 1856, Samuel Allen, do.....	187 26
Dec. 6, 1856, do.....	166 78
Dec. 6, 1856, do.....	97 87
Aug. 6, 1856, do.....	143 19
Dec. 29, 1856, do.....	637 57
Dec. 29, 1856, do.....	488 88
	<u>\$7,919 29</u>

The foregoing are but a few only among many others of a similar character. The evil is wide spread. Property owners from all over the city and county have visited the room of your Committee, and have exhibited their receipts and demanded the canceling of the liens against their property. Their demands have been accompanied by bitter denunciations of our city officials, when informed of the fact that their grievances cannot be remedied by your Committee. Citizens of high character and standing, as well as poor and humble property owners, have given vent to their indignation in loud and violent expressions, when they found out for the first time, from your Committee, that liens have been standing on their property for three, four or five years, and on which they will have to pay from thirty-six to sixty per cent. to the Bureau of Arrears.

This addition of twelve per cent. per annum is ruinous to the property owners, inasmuch as most of the delinquents are not aware that they have been assessed at all. It too frequently happens that property very remote from the line of improvement is assessed, and in very many instances, liens have been imposed which the property owners could have no possible reason to believe had been created.

A resolution from the Board of Councilmen, instructing your Committee to extend their examinations into the departments of assessments, has been received by us, and in addition to the statements already furnished your Honorable Body in our previous reports, the following are submitted:

## No. 1.

Sewer in Forty-ninth street, from East river to and through the Second avenue and Fifty-third street, to Third avenue, thence through the Third avenue to Fifty-sixth street.

This assessment was confirmed on the 26th day of December, 1857, and the amount of the assessment, as footed in ink, is.....\$99,766 66

An examination of the footing up of this assessment, shows the correct amount to be... 101,396 01

The amount paid to contractor, and for expenses on which this assessment is based, is... 99,76 66

Thus showing an over-assessment of..... \$1,629 35

The Commissioners of Assessment admit the over-assessment. They also admit that property was assessed which should have been omitted.

The effect of error in adding up an assessment list, making the apparent, less than the real amount, is this:

When assessment list is given to the Collector of Assessments, the amount as added is charged to him on a ledger in the Comptroller's office. As he pays into the treasury moneys received on an assessment list, the amount is credited to him by the Comptroller. At the end of twelve months from the time a list is placed in the hands of a collector, and his power to receive payments thereon has ceased; the amount of unpaid assessments is returned by him to the Bureau of Arrears, and the Collector's account for that work is balanced.

Thus it will appear, if an assessment list is added up



less than the true amount, the collector can pocket the difference, and at the same time balance his account with the Finance Department. Peculations of this kind may go on forever, unless a proper auditing is had in the Finance Department, or some searching investigation is adopted like that in which your Committee are engaged. Besides the error in adding this assessment list, we find the following items of work and material included in the amount paid to contractor, which are not in the contract, viz:

240 connection pipes, at \$1 50.....	\$360 00
Connection at Third avenue and Fifty-third street.....	500 00
Retaining wall on Forty-ninth street.....	60 00
Extra labor, by order of engineer, as per bill in repairing damage occasioned by freshet of April, 1857.....	213 75
	<hr/>
	<u>\$1,133 75</u>

It is questionable whether the Croton Aqueduct Department, having control of this work, had the right to allow the above amount, (\$1,133 75,) without complying with the provisions of the charter, which are as follows:

Section 38 of the charter of 1855, the charter of 1849 being similar:

“Whenever any work is necessary to be done to complete or perfect a particular job, or any supply is needful for any particular purpose, which work and job is to be undertaken or supply furnished for the Corporation, and the several parts of the said work or supply shall, together, involve the expenditure of more than two hundred and fifty dollars, the same shall be by contract, under such

regulations concerning it as shall be established by ordinance of the Common Council, unless by a vote of three-fourths of the members elected to each Board, it shall be ordered otherwise; and all contracts shall be entered into by the appropriate heads of departments, and shall be founded on sealed bids or proposals made in compliance with public notice, advertised in such of the newspapers of the city as may be employed by the Corporation for the purpose."

The above error of \$1,629 35, and the above allowances of \$1,133 75, not being in accordance with the terms of the charter, as above quoted, is probably more than sufficient to invalidate the entire assessment.

#### No. 2,

"Flagging sidewalks in Duane street, between Broadway and Hudson street."

The return of the surveyor on this work exhibits 6198 square feet of flagging, of which 625 square feet was not assessed, leaving to be assessed 5573 square feet, which was the amount of work done by the contractor at  $12\frac{1}{8}$  cents per square foot, is..... \$675 73  
115 cubic yards of sand, at 1 cent..... 1 15

\$676 88

The property is assessed..... 816 19

Making an over-assessment of..... \$139 31

This difference is occasioned by the insertion on the requisition of the Street Commissioner of the item of "Jointing,  $2\frac{1}{2}$  cents per square foot." This item, aside from the fact of its not being included in the original contract, is not liable to a charge, as flagging cannot well be laid without "jointing."

## No. 3.

“Paving and flagging Forty-seventh street, from Fifth to Seventh avenues.”

The contract for this work was awarded to Hugh Humes, at the prices named in his estimate of September 12th, 1856, viz:

For flagging, per square foot.....11 cents.

For paving, per square yard..... $32\frac{1}{4}$  “

No other items of work are embraced in the estimate or contract. The certificate of Jos. S. Taylor, Street Commissioner, is attached to the assessment list, and seems to have been originally made out in accordance with the contract. All other items of work which appear in the printed form, being dashed with an ink line opposite the print to indicate that there are no prices to be attached to them. Over these dash lines the following figures are written in the Street Commissioner's certificate, by whom we cannot determine:

Earth filling, per cubic yard.....50 cents.

Setting curb stones, per lineal foot.....50 “

Resetting.....8 “

Relaying bridge stone, per square foot.....8 “

The ordinance of the Common Council authorizing the work, permits the appointment of an inspector. It is usual for the Street Commissioner where an inspector has been authorized and appointed, to include his time and compensation in his certificate. In the present case the inspector's time, 98 days, seems to have been added to the original certificate.



The errors in making up the assessment list may be particularized as follows: 5,044 square yards paving extended at  $52\frac{1}{4}$  cents per square yard, which is twenty cents per square yard in excess of contract price.

Making an over-allowance of.....	\$1,008 80
800 cubic yards of earth filling, not in contract, 50 cents.....	400 00
19 feet new curb and gutter, not in contract, 50 cents.....	9 50
518 feet curb and gutter, reset, not in contract, 8 cents.....	41 44
200 square feet bridge stones, relaid, not in contract, 8 cents.....	16 00
Amount of over-allowance to contractor...	\$1,475 74
Inspection not included in original certificate of Street Commissioner, 98 days' time, \$1 50.....	147 00
Assessors' fees, over-estimated.....	36 84
Collectors' " ".....	44 57
	<hr/>
	\$1,704 11

The work was paid for according to ledger and receipt in Comptroller's office, on the 20th October, 1857, by bond for.....	\$4,300 00
By warrant for.....	25 85
	<hr/>
	\$4,325 85

Receipt for this amount signed by

CUNNINGHAM & HUMES.

E. D. BROWN, *President*.

The contract bears date December 29, 1856.

Confirmed October 19, 1857.

The assessment list is made up as follows.

Contract.....	\$4,325	85
Surveying.....	\$165	63
Inspection.....	147	00
Advertising.....	20	00
Assessing.....	97	55
Collecting .....	121	94
		552 12
		<u>\$4,877 97</u>

J. T. Dodge, Surveyor's return:— 5,044 square yards paving; 11,122 square feet flagging; 19 feet new curb and gutter; 518 feet curb and gutter reset; 800 cubic yards earth filled in; carriage-way and sidewalks; 200 square feet bridge stones relaid.

The assessment, if made up in accordance with the contract, would be as follows:

5,044 square yards paving, 32 $\frac{1}{4}$ cents.....	\$1,626	69
11,122 square feet flagging, 11 " .....	1,223	42

Contract amounts to.....	\$2,850	11
Surveyor's bill .....	\$165	63
Inspection not in original certificate of Street Commissioner.....		
Advertising.....	20	00
Assessor's fees, 2 per cent.....	69	71
Collector's " 2 $\frac{1}{2}$ " .....	77	41
		323 75

Correct amount .....	\$3,173	86
Amount actually assessed.....	4,877	97
Over assessed.....	\$1,704	11

## No. 4.

Assessment for "Extension of sewer in Fulton street, to outside of new bulkhead;" confirmed November 30th, 1853. In this case there was no party interested but the Corporation. A new bulkhead having been built beyond the old one, it became necessary to extend the sewer. No assessments were to be made to any party, yet the expenses were run up as follows:

Surveying.....	\$73 15
Inspection.....	150 00
Advertising .....	20 00
Assessors.....	114 59
Collectors.....	143 24
	<hr/>
	\$500 98

Several inquiries having been made of your Committee, in regard to the accounts of Joseph R. Taylor, late Collector, and his deputies, we deem it proper to state, that but a partial examination of these accounts has as yet been made.

The necessity for regularity and method in the examination of these accounts, will be seen from the following brief statement.

Mr. Cooper, Street Commissioner, in his communication to the Common Council, of June 11, 1858, states the amount of assessments placed in the hands of Joseph R. Taylor, at..... \$3,489,181 77

The actual amount, so far as ascertained, is 3,469,507 18

Making a difference of..... 19,674 59



In the same communication, the amount deposited by Mr. Taylor with the Chamberlain for collections on said assessments, is stated at.....	1,784,059 55
In his communication to the Common Council of September 21, he states that this amount should have been.....	1,872,596 86
Making a difference of.....	<u>\$88,537 31</u>

In this latter communication, showing a deficiency on the part of Joseph R. Taylor, Collector, and his deputies. No amount is named with which the Collector should be charged. Without this, no balance of the account can be arrived at. No statement, satisfactory to the public, or which can be understood, is practicable, unless the following method be pursued:

The account of the Collector must be charged with the amount of each and every assessment list placed in his hands for collection. The amount collected on each list should be credited thereto. The total amount of items remaining unpaid on the books of "Records," should be ascertained, from which should be deducted the amount of items known to be paid, but which have not been discharged of record, and the balance placed to the credit of the account. The balance of the account, when thus stated, will show the deficiency or over-payment, as the case may be.

This method of making out the account, Mr Cooper appears not to have adopted, judging from the manner in which he has exhibited his statements.

This account, as well as that of Isaac Edwards and his deputies, will be duly audited by us, when we reach it in the regular course of our work.

F. I. A. BOOLE,	} <i>Joint</i>		
JAMES OWENS,		} <i>Committee</i>	
HENRY HOFFMIRE,			} <i>on</i>
JAS. M. CROSS,			

---

SCHEDULE

OF

RETURNS OF UNPAID ASSESSMENTS,

PRIOR TO 1853,

NOT FORMALLY RETURNED TO BUREAU OF ARREARS.

---



The following list embraces the aggregate Amount of unpaid Assessments which are liens upon property, standing open on the Books of Record from No. 1 to No. 26, inclusive, prior to the first of January 1853.

Record No.	LOCATION.	DANE.	AMOUNT.
1	Widening and improving Art street.....	Aug. 1, 1839	\$1,437 00
1	Curb and gutter and regulating Burling slip, Front to South street.....	Sept. 12, "	161 01
1	Paving Sixth street, from Avenue A to C.....	Oct. 8, "	320 25
1	Repaving Prince street.....	Sept. 23, "	137 93
1	Opening Sixth avenue from Bloomingdale road to One hundred and twenty-ninth street.....	Oct. 1, "	22,049 98
1	Regulating and paving West street, Hammond to Gansevoort street.....	Dec. 4, "	839 26
1	Fencing sundry vacant lots Seventh, Ninth, Tenth, Eleventh, Thirteenth, Fourteenth & Fifteenth Wards.....	Dec. 29, "	35 19
1	Setting curb and gutter in Twenty-eighth street, between Ninth and Tenth avenues.....	Jan. 4, 1840	1 96
1	Opening Fifty-third street, from Avenue A to Tenth avenue.....	Aug. 1, 1839	103 25
1	Opening Forty-first street, from Avenue A to Tenth avenue.....	Dec. 4, "	110 62
1	Opening Fifty-third street, from East to Hudson river.....	Sept. 1, "	397 07
1	Opening Forty-seventh street, from East to Hudson river.....	Sept. 1, "	84 70
1	Opening Fifty-fourth street, East river to Tenth avenue.....	Nov. 1, "	1,603 44
1	Opening Avenue A, from Fourteenth street to East river.....	Sept. 30, "	71 82
1	Opening Avenue A and Fifteenth, Sixteenth Seventeenth and Twenty-first streets.....	June 6, "	555 68
1	Opening Twenty-fifth street from Fifth avenue to Hudson river.....	Mar. 11, "	604 00
1	Opening Thirty-second street.....	June, 3, 1838	156 00
1	Opening Eighty-ninth street from Third to Eighth avenue.....	June, 11, "	468 00
1	Opening Twenty-third street from Third to Eighth avenue.....	Aug. 1, 1839	1,441 00
1	Opening Thirty-sixth street Hudson to East river.....	June 6, "	583 10
1	Paving Seventh street from Avenue B to C.....	Oct. 8, "	21 68
1	Building a sewer in Avenue A from Ninth to Eighth street, and 8th street from Avenue A to C.....	Sept. 12, "	1,236 66
1	Opening Eighty-eighth street from Third to Eighth avenue.....	June 11, 1838	243 00
2	Sewer in Second avenue, between Eighteenth and Twentieth streets.....	Jan. 4, 1840	2 20
2	Opening Tenth av., from Seventy-first to One hundred and Sixty-second street on Kingsbridge r'd.....	Mar. 1, "	683 21
2	Opening Fiftieth street, from East to Hudson river.....	Feb. 8, 1839	62 00
2	Opening Seventh avenue from Twenty-first to One hundred and Twenty-ninth street.....	Feb. 9, "	1,177 09
2	Opening Manhattan square.....	Mar. 11, "	555 00
3	Regulating Ninth avenue, from Thirty-third to Forty-second street.....	July 31, 1840	1 50
3	Opening Eighty-fifth street, Third to Fifth avenue.....	June 6, 1839	15 90

3	Opening Ninety-fourth street, Third to Eighth avenue.....	April 6, 1839	27 00
3	Opening Second avenue, Twenty-ninth to Eighty-sixth street.....	Sept. 4, "	4,468 69
3	Eleventh Ward, Fencing lots on Fifth, Sixth, Eighth, Ninth & Tenth sts., between Avenues C & D	Dec. 10, 1840	25 08
3	Filling sunken lots between Eighteenth and Seventeenth streets South, and North Fifth avenue	"	
	and Bloomingdale road .....	Sept. 24, 1834	1,198 95
3	Filling cellars and yards North side of Avenue C and D.....	Dec. 3, 1840	145 41
3	Filling lot.....	Sept. 24, 1839	381 16
3	Opening Ninetieth street from Third to Eighth avenue.....	June 6, 1840	27 00
3	Filling low ground, Ninth street, South side Avenue ( ) and B.....	Nov. 6, 1842	157 44
3	Well and pump in Ninth street, near and west of First avenue.....	Feb. 24, "	4 90
3	Second avenue, paving and flagging sidewalks, Tenth and Eleventh streets.....	Mar. 31, "	49 03
3	Twenty-eighth street, regulating, curb and gutter, Seventh to Eighth avenues.....	Mar. 31, "	67 91
3	Seventeenth street, well and pump between Union place and Fifth avenue.....	April 18, "	5 00
3	Building bulkhead across Pike slip.....	June 22, "	1,612 92
3	Regulating and paving Pike slip from Cherry to South, and South st. from Pike to Rutgers slip..	June 22, "	121 45
3	Regulating and Paving Irving place, between Fourteenth and Twentieth streets, and flagging	"	
	foot of Easterly sidewalk.....	May 10, "	25 44
3	Regulating, curb and gutter Second avenue, Twenty-third to Twenty-sixth street.....	Aug. 15, "	77 86
3	Regulating, curb and gutter Twenty-second street, between Second and Third avenue.....	Aug. 1, "	36 79
3	Twenty-third street curb and gutter between Second and Third avenue.....	Aug. 1, "	81 96
3	Fencing lots in Fifteenth Ward.....	Aug. 1, "	18 19
4	Regulating and paving Albany and Cedar streets, from Washington to West street, also West,	"	
	from Albany to Cedar, also for repairing Cedar street from Greenwich to Washington and West	Oct. 11, "	16 97
	street, North of Cedar street.....	"	265 20
4	Paving Ninth avenue, from Twenty-fourth to Twenty-eighth street.....	"	2,001 96
4	Excavating and removing mud from slip between piers 23 and 24 East river.....	Aug. 1, "	8 01
4	Regulating Fifth avenue, Twenty-first to Twenty-eighth street.....	Dec. 16, "	
4	Setting curb and gutter, graveling carriage way and dressing off sidewalks, Ninth avenue, between	"	
	Thirty-sixth and Forty-second street.....	Dec. 16, "	5 76
4	Repaving Canal from Broadway to Hudson street, commencing on South side of Broadway .....	"	335 20
4	Repaving Spring street, Broadway to Greenwich .....	Dec. 16, 1842	238 61
4	Building sewer in Second avenue from Twenty-second street, to North line of Twenty-seventh st.	Jan. 20, 1843	17 64
4	Regulating, pitching and paving Eighteenth street, from Bloomingdale road to Third avenue....	Feb. 8, "	177 81
4	Filling low ground in the Eleventh Ward, between Avenue C and D and Seventh and Eighth st's.	Feb. 8, "	120 89
4	Regulating Twenty-sixth street Sixth and Eighth avenue.....	Dec. 14, 1844	80
4	Filling south side of Third street, Avenues B and C.....	Dec. 27, "	148 22
	Carried forward.....		\$47,028 75



Record No.	LOCATION.	DATE.	AMOUNT.
	Brought forward.....		\$47,028 75
4	Resetting and paving, new curb stone in Bleecker street, between Downing and Carmine streets..	Jan. 16, 1845	45 30
4	Paving Carlisle street, from Washington to West street .....	Jan. 5, 1844	50 77
5	Sewer in Delancey street, from Sheriff to Tompkins.....	Jan. 16, 1845	11 87
5	Sewer in Livingston street, from Sheriff to East river.....	Mar. 4, "	1 96
5	Setting curb and gutter in Sixth avenue, from Twenty-first street to Bloomingdale road, and graveling a place through the middle thereof.....	Mar. 7, "	2 90
5	Sewer in Grand street from East curb line of Bowery to sewer in Centre street.....	Apr. 2, "	3 32
5	Regulating Thirtieth street, Sixth to Seventh avenue.....	June 7, "	64 26
6	Regulating Thirty-fifth street, Bloomingdale road to Eighth avenue.....	July 2, "	104 02
6	Paving Eleventh street from Avenue C to Dry Dock street.. ..	Sep. 17, "	15 55
6	Regulating, setting, curb and gutter and paving Eighth street, between Avenue C and D.....	Sep. 22, "	41 84
6	Filling lots West side of Eighth Avenue, Thirty-seventh and Thirty-eighth street, and South side Thirty-eighth street Eighth and Ninth avenues.....	Oct. 4, "	58 97
6	Paving Twenty-eighth street, between Seventh and Eighth avenues, resetting curb and gutter stones, and removing surplus earth.....	Oct. 25, "	6 61
6	Sewer in Fifth street, from Avenue A to C.....	Nov. 28, "	85 43
6	Regulating curb and gutter in Twelfth street, between First avenue and Avenue B.....	Dec. 10, "	21 03
6	Filling sunken lots South side Thirtieth street, and North side Twenty-ninth street, between Sixth and Seventh avenues.....	Dec. 5, "	160 93
6	Regulating and paving avenue A, between Tenth and Thirteenth streets.....	Jan. 26, 1846	12 96
6	Regulating Fortieth street, Fifth to Tenth avenue.....	Mar. 20, "	54 46
7	Sewer in Eighth street, Sixth avenue to Broadway.....	Apr. 1, "	8 32
7	Sewer in Houston street, Pitt to East river .....	Mar. 31, "	18 72
7	Well and pump in Forty-first street, between Fourth and Lexington avenue.....	May 11, "	2 50
7	Well and Pump in Twenty-sixth street, between Eighth and Ninth avenues.....	" "	4 00
7	Sewer in Ninth avenue, Twenty-third to Thirtieth street.....	May 28, "	11 87
7	Regulating and paving Twenty-fifth street, Third and Fourth avenue, and flagging .....	July 16, "	56 76
7	Well and pump in Bloomingdale road, near Eighty-first street.....	July 9, "	9 40
7	Thirty-seventh street, regulating and setting curb and gutter, Eighth to Ninth avenue.....	July 23, "	45 01
7	Sewer in Eighth street, from Third avenue to-sewer in Avenue A.....	May 22, "	100 00
8	Opening Thirty-seventh street, from East to Hudson river.....	Mar. 1, "	87 94
8	Opening Eleventh avenue Thirty-second to Forty-seventh street .....	" "	32 53
8	Opening One hundred and twenty-eighth street, Third to Fifth avenue .....	" "	33 00
8	Opening Thirty-ninth street, East to Hudson river .....	" "	4 75



8	Opening Leroy street, Hudson to Burton street.....	Aug. 1,	"	102 00
8	Regulating Twenty-sixth street, and setting curb and gutter and paving between Eighth and Ninth avenues.....	Sep. 10,	"	30 35
8	Laying a course of flagging through sidewalks of First avenue, between Twelfth and Seventeenth streets, Avenue A, between Eleventh and Thirteenth streets, Avenue C, between Fourth and Tenth streets, and Seventeenth street between Fifth avenue and Union place.....	Sep. 24,	"	9 50
8	Flagging sidewalks in Thirteenth street, between First avenue and Avenue B.....	Dec. 24,	"	10 10
8	Fencing vacant lots on the several streets between Sixth and Tenth streets, and Second avenue and Avenue A.....	Jan. 7, 1847	"	5 50
9	Sewer in Walker street and Courtlandt alley, connecting with sewer in Canal street.....	Feb. 11,	"	20 20
9	Regulating Thirty-fourth street, from Second to Seventh avenue.....	"	"	48 30
9	Fencing lots on Eighteenth street, Irving place, and in Thirteenth, Fourteenth and Eleventh streets and flagging sidewalks South side of Twelfth street.....	Mar. 10, 1847	"	4 68
9	Fencing lots between Fifth and Tenth streets, and Avenues B and D, also South side of Fifth street, between Avenues C and D.....	April 2,	"	4 50
9	Regulating Madison avenue and graveling and setting curb and gutter between Twenty-third and Thirty-third street.....	"	"	229 15
9	Filling and work done around the Eighteenth Ward Station-house on Twenty-ninth street, between Fourth and Madison avenue.....	Jan. 23,	"	6 66
9	Grading Ninth avenue, Forty-second street to Bloomingdale road.....	April 24,	"	291 71
10	Twenty-third street, sewer Fifth avenue to Hudson river, with branches in Sixth and Eighth avenue.....	Mar. 31,	"	761 40
10	Fifty-fourth street, regulating and graveling Ninth to Tenth avenue.....	Aug. 4,	"	39 61
10	Eighth street flagging a space four feet wide, between avenue B. and C.....	Sep. 21,	"	10 35
10	Thirty-third street, regulating setting curb and gutter Fourth and Seventh avenues.....	Oct. 5,	"	58 85
10	Forty-third street, regulating and graveling Fifth avenue to Bloomingdale road.....	July 3,	"	4 61
11	Second street, sewer from Avenue C, to west side of Avenue A.....	Nov. 2,	"	11 00
11	Fulton street, sewer from Nassau to East river.....	Dec. 24,	"	529 88
11	Tenth avenue, regulating, setting, curb and gutter Twenty-eighth to Fortieth street.....	Jan. 11, 1848	"	25
11	Thirty-second street, sewer from west side of Sixth avenue to 100 feet east of Broadway.....	Feb. 2,	"	1 00
12	Twenty-fourth street, sewer, regulating paving and flagging Second and Third avenues.....	Mar. 21,	"	77 07
12	Broadway, regulating Twenty-third and Forty-second street, setting curb and gutter and laying bridge stones.....	April 15,	"	6 50
12	Fourth avenue, opening from Twenty-eighth to Thirty-eighth street.....	May 1,	"	55 08
12	Twenty-eighth street, sewer from Seventh to Sixth avenue.....	April 29,	"	9 08
12	Filling sunken lots between Thirty-fourth and Thirty-ninth streets, Seventh and Eighth avenues.	"	"	41 00
	Carried forward.....			\$50,524 06

Record No.	LOCATION.	DATE.	AMOUNT.
	Brought forward.....		\$50,524 06
12	Apportionment for filling sunken lots in the block bounded by Avenue A and B Twelfth and Thirteenth street and drain to the sewer in Twelfth street.....	May 2, 1848	116 90
12	Second avenue, regulating, setting, curb and gutter and graveling 20 feet wide, between Twenty-eighth and Forty-second street.....	May 5, "	266 42
12	Opening Lexington avenue, from Thirty-first to Forty-second street.....	" "	55 00
13	Extending sewer in James street, through Chatham to Mott street.....	Sep. 14, "	19 58
13	Twenty-fifth street, regulating and paving between Seventh and Eighth avenues, and flagging through south sidewalks ..	" "	
14	Sixth street, sewer, from Avenue C to 100 feet west of Avenue D.....	Nov. 15, "	52 53
14	Broadway, flagging, 4 feet wide, between Twenty-fifth and Thirty-fourth streets.....	Feb. 14, 1849	34 51
14	Filling sunken lots, between Thirty-seventh and Fortieth streets, and Eighth and Ninth avenues.	Mar. 9, "	45 47
14	Gouverneur slip, building a bulkhead.....	" "	15 79
14	Thirtieth street, regulating, curb and gutter and flagging, Third to Madison avenue.....	May 3, "	8 75
14	Twenty-eighth street, regulating, between Seventh and Eighth avenues, &c.....	June 29, "	34 40
14	Opening Bloomingdale road, from Seventh to Tenth avenue.....	July 17, "	26 65
14	Fourth avenue, regulating, &c., between Twenty-eighth and Thirty-eighth streets.....	Aug. 1, "	45 00
15	West and Warren streets, building culverts, repairing and setting curb and gutter.....	Sep. 14, "	43 53
15	Fifteenth street, paving, from First to Second avenues.....	Sep. 13, "	13 15
15	Eighth avenue, paving, from Twenty-fourth to Forty-third street.....	Oct. 5, "	4 94
15	Elm street, sewer, from Pearl to Read st., and in Duane st. and Read st. to Broadway..	Oct. 20, "	461 25
15	Seventh avenue, paving, from Twenty-first to Thirtieth street.....	Nov. 13, "	64 59
16	South and Montgomery streets and Gouverneur slip, regulating and paving.....	Dec. 20, "	139 85
16	Eighteenth street, sewer, from sewer in Third avenue to Irving place.....	Jan. 5, 1850	1,509 09
16	Twenty-third street, sewer, from East river to the sewer in Lexington avenue ..	Jan. 29, "	109 88
16	Paving Twenty-sixth street, from Second avenue to the East river.....	Mar. 5, "	125 86
16	Houston street, sewer, from Mulberry street to Broadway.....	Mar. 25, "	32 06
17	Thirty-seventh st., regulating, setting curb & gutter, & graveling between Tenth & Eleventh avs.	Mar. 28, "	78 85
17	Fifty-fourth street, regulating and macadamizing, from Fifth avenue to Broadway.....	May 4, "	69 97
17	Regulating and setting curb and gutter in Fifth and Madison avenues, Thirty-first Thirty-second, Thirty-third, Thirty-fourth, Thirty-fifth, Thirty-sixth, Thirty-seventh, Thirty-eighth, Thirtiennth and Fortieth streets.....	May 15, "	277 34
17	Regulating, paving, and curb and gutter in First avenue, from Thirteenth to Twenty-eighth st...	June 3, "	1,129 10
17	Thirty-first street, sewer, from Ninth to Tenth avenue.....	June 12, "	34 81
17	Seventeenth street, regulating, between First avenue and Avenue B.....	" "	564 48
		" "	88 24



17	Twenty-first, Twenty-second and Twenty-third st., fencing lots, between Third & Lexington avs.	"	"	9 13
17	Well and pump in Fifty-fourth street, between Sixth and Seventh avenues	"	"	3 87
17	Fifth avenue, paving, from Twenty-third to Thirtieth street	July 16,	"	29 56
18	Forty-fourth street, regulating, from Third to Fourth avenue	"	"	78 69
18	Forty-eighth street, regulating and macadamizing, Eighth to Tenth avenue, space 25 feet wide	"	"	187 96
18	Lexington avenue, sewer, from Thirtieth to Thirty-second street	"	"	7 79
18	Broome street slips, regulating, repairing, &c.	Aug, 8,	"	535 64
18	Delancey street, sewer, from old sewer to East river	"	"	18 09
18	Well and pump in Ninety-fifth street, between Fifth and Sixth avenue	"	"	177 85
18	Tenth street and Dry Dock street crosswalks	"	"	16 16
18	Thirty-seventh street, paving, from Ninth to Tenth avenue	Sep. 6,	"	384 70
18	Twentieth street, regulating, First avenue to East river	Sep. 11,	"	3,226 81
18	Twenty-eighth street, sewer, paving, and curb and gutter, from Second avenue to East river	Oct. 15,	"	1,587 71
18	Twenty-eighth street, paving, re-setting curb and gutter stones, regulating, Sixth to Seventh av.	"	"	1 10
18	Delancey slip, filling in, &c., Tompkins street to bulkhead	Nov. 15,	"	3 10
19	Forty-third street, regulating, paving, curb and gutter, Eighth avenue to Hudson river	Dec. 11,	"	1,001 10
19	Forty-ninth street, regulating, Fifth avenue to Bloomingdale road	"	"	163 84
19	Hamersly street, crosswalks, Bedford to Smith street	Jan. 10, 1851	"	8 37
19	Tenth avenue, regulating, Bloomingdale road to Eighty-sixth street	Jan. 16,	"	143 95
19	Forty-second street, curb and gutter, flagging, Eighth to Tenth avenue	Feb. 7,	"	778 63
19	Forty-first street, regulating, curb and gutter, Ninth to Tenth avenue	Mar. 20,	"	2,568 09
19	Second avenue, sewer, Twenty-ninth to Thirty-third street	"	"	10,726 57
19	Ninth street, sewer, Third avenue to Avenue A	"	"	78 63
19	Ninth avenue, regulating Forty-third to Fifty-first street	"	"	75
19	Oak street, repairing sidewalks, curb and gutter	"	"	3 61
19	Thirty-second street, flagging, Sixth to Eighth avenue	"	"	19 08
20	Delancey street, sewer, Sheriff to Essex street	May 23,	"	10 51
20	Twenty-seventh street, sewer, Sixth to Eighth avenue	"	"	12 52
20	Fencing vacant lots, Thirty-third and Thirty-fourth streets, Fifth and Sixth avs. and Broadway	"	"	5 18
20	Filling and draining in Twelfth Ward, Seventh to Eighth av., Thirty-fifth and Thirty-seventh st.	"	"	4 65
20	Fencing lots, Thirtieth, Thirty-first and Thirty-second street, Fifth avenue and Broadway	"	"	10 78
20	Sewer in Forty-second street, Ninth avenue and Forty-fifth street and Eighth avenue	June 2,	"	7,415 76
20	West street, raising and regulating, setting curb and gutter, and laying drains between Battery place and Carlisle street	"	"	23 93
20	Fiftieth street, regulating, grading and macadamizing, Seventh to Eighth avenue	"	"	71 28
	Carried forward			\$85,308 86



Record No.	LOCATION.	DATE.	AMOUNT.
	Brought forward .....		\$85,308 86
21	Barelay street, raising and regulating, from Greenwich to West street, and re-setting curb and gutter, in West street, foot of Barelay street .....	June 2, 1851	43 65
21	Lexington avenue, opening, Forty-second to Sixty-sixth street .....	May 12, "	15 00
21	Gansevoort street, regulating and repaving, between Washington and West street .....	June 2, "	10
21	Sixth avenue, sewer, Thirty-fifth to Thirty-seventh street .....	June 13, "	4 04
21	Thirteenth street, sewer, 72 feet from Sixth avenue, to and through Eighth avenue, connecting sewer in Jane street to Hudson street .....	"	5 34
21	Tenth avenue, paving, Thirty-second and Thirty-third streets, and flagging 4 feet east side, sidewalks, Thirty-second and Thirty-sixth street .....	"	5 58
21	Duane street, sewer, Thomas, Chapel, Hudson and Jay streets, from Broadway to Hudson river ..	Aug. 20, "	69 16
21	Seventy-eighth street, opening, Third to Fifth avenue .....	Sep. 19, "	123 94
21	Thirty-fifth, Thirty-sixth, Thirty-seventh and Thirty-eighth streets, regulating and grading, Fifth and Sixth avenues .....	Oct. 9, "	
21	Thirtieth street, regulating and paving, Sixth and Seventh avenue .....	Oct. 16, "	79 44
21	Fifth avenue, re-grading, and curb and gutter, Thirty-fourth to Forty-second street .....	Sep. 19, "	23 83
21	Thirty-eighth street, sewer, 100 feet west of Fifth avenue, to and through Sixth avenue to sewer in Thirty-seventh street .....	Oct. 16, "	131 99
22	Forty-second street, sewer, Eleventh and Twelfth avenues .....	Oct. 24, "	1 96
22	Eighth avenue, paving, Forty-third and Fiftieth streets .....	Sep. 23, "	4,737 21
22	Sixteenth street, sewer, from Avenue A to near Livingston place .....	Oct. 24, "	142 43
22	Twenty-seventh street, regulating and paving, Sixth to Eighth avenue .....	"	61 62
22	Seventh street, sewer, from Avenue C to B .....	"	29 24
22	Forty-eighth street, regulating and grading and macadamizing, bet. Broadway and Eighth av...	"	10 87
22	Fencing lots on Twenty-ninth and Thirty-third streets, Seventh and Eighth avenues, and on south side of Thirtieth street, between Sixth and Seventh avenues .....	"	30
22	Filling lots between Fortieth and Forty-third streets, and Tenth and Eleventh avenues .....	"	6 81
23	Franklin street, sewer, Broadway to Chapel street .....	Nov. 20, "	6,478 25
23	Eighty-seventh street, regulating and grading, between Third and Fifth avenues .....	"	1 00
23	Hester street, sewer, from Centre to Orange street .....	"	16 04
23	Filling lots, between Old Post road, First avenue, Forty-eighth and Fiftieth streets .....	"	63 00
23	Third avenue, regulating, curb and gutter, between Ninth and Twenty-eighth streets .....	"	15 50
23	Sixteenth street, regulating and paving, between Livingston place and First avenue, and flagging 4 feet wide from Livingston place to Avenue A .....	Dec. 23, "	28 78
23	Broadway, paving, from Thirtieth to Fortieth street .....	"	59 53
		Dec. 31, "	5 72

23	Eighty-fourth and Eighty-fifth street, regulating, from Fourth to Fifth and Third to Fifth avs...	"	"	48 56
23	Twenty-fifth street, regulating and paving, from Tenth avenue to Hudson river .....	"	"	51 89
23	Madison avenue, regulating and paving sidewalks, Twenty-third to Twenty-sixth street .....	"	"	5 26
23	Renwick street, sewer, from Canal to Spring street ..	"	"	45 45
23	Twenty-fifth street, flagging, from Sixth to Seventh avenue .....	"	"	14 33
23	Fourteenth street, sewer, from Tenth avenue to Hudson river .....	Jan. 3, 1852	"	27 43
23	Thirtieth street, paving, from Third avenue to Broadway, and Madison and Fifth avenues .....	"	"	126 76
23	Avenue B, paving, from Thirteenth to Eighteenth street .....	"	"	6 15
23	Twenty-ninth street, regulating and paving, from Sixth to Seventh avenue .....	"	"	14 27
23	Third avenue, crosswalks, Eightieth and Eighty-sixth street .....	"	"	3 70
23	Thirty-first street, flagging and paving, Lexington and Third avenues .....	"	"	21 07
23	Broadway, flagging sidewalks, Fortieth and Forty-second streets .....	"	"	11 90
23	Gouverneur slip and South street, crosswalks to the gate of Jackson Ferry-house .....	"	"	4 42
23	Tenth avenue, sewer, Thirty-sixth to Forty-second street .....	Jan. 22,	"	1,291 25
23	Eleventh avenue, regulating and grading, Thirty-third and Forty-third streets .....	Feb. 14,	"	53 88
23	Fifty-ninth street, opening, Fifth avenue to Broadway .....	Feb. 18,	"	93 05
23	Delancy street, sewer, from Essex to Bowery .....	Feb. 19,	"	25 67
24	Thirty-third street, paving and flagging, re-setting curb and gutter, Sixth and Seventh avenues ..	"	"	91 05
24	Eighth av., sewer, from Fifty-third to Fifty-fourth st., and in Fifty-fourth st., to near Broadway ..	"	"	791 54
24	Thirty-sixth street, sewer, from Madison avenue to 100 feet east of Fifth avenue .....	"	"	75 36
24	Sixteenth street, sewer, between Sixth and Seventh avenues .....	"	"	56 68
24	Greene st., sewer, between Canal and Houston st., and in Houston, from Greene st. to Broadway ..	Mar. 13,	"	366 21
24	Fortieth street, regulating, and curb and gutter, Second and Third avenues .....	"	"	1,191 46
24	Broadway and Sixth avenue, regulating, curb and gutter, and re-flagging, from Thirty-fourth to ..	April 17,	"	1,563 50
24	Forty-second street; also Thirty-fifth to Forty-first street, between Sixth and Seventh avenues ..	"	"	5 90
24	Fencing lots on Second avenue and Fifteenth street, between First and Second avenues .....	"	"	30 94
24	Fencing lots on Nineteenth and Twentieth streets, between Fifth and Sixth avenues .....	"	"	9 25
24	Fencing lots on Fifteenth street, between Fifth and Sixth avenues .....	April 26,	"	225 10
24	Thirty-fifth street, regulating, from Second to First avenue .....	"	"	40 49
24	Twenty-ninth street, paving, from Broadway to Sixth avenue .....	"	"	25 34
24	Madison avenue, paving Twenty-sixth to Fortieth street .....	May 1,	"	14,901 23
24	Liberty street, opening, Broadway to Greenwich street .....	May 12,	"	127 84
24	Vestry street, sewer, from Canal street to 25 feet east of Hudson street .....	May 18,	"	5,319 32
24	Sixth avenue, regulating, from Forty-second to Fifty-seventh street .....	May 20,	"	142 10
24	Forty-ninth street, sewer, Eighth avenue to near Broadway .....	May 22,	"	932 70
24	Third avenue, sewer, from Forty-second to Thirty-ninth street .....			
	Carried forward .....			\$125,205 27



Record No.	LOCATION.	DATE.	AMOUNT.
	Brought forward .....	.....	\$125,205 27
24	Opening Bloomingdale road, Tenth avenue to Eighty-sixth street.....	May 24, 1852	5,325 00
24	Filling lots between Thirty-fourth and Thirty-ninth streets, and Seventh and Eighth avenues....	July 18, 1850	75 01
24	Fencing lots on Nineteenth street, corner Second avenue, and to 139 in Nineteenth street.....	June 12, 1852	28 37
25	Eighty-fourth street, opening, from Ninth avenue to Hudson river .....	May 1, "	1,126 99
25	Tenth avenue, sewer, from Forty-second to Forty-sixth street.....	July 15, "	3,832 47
25	Forty-third street, sewer, from 275 feet west of Fifth avenue, to and through Sixth avenue to Fortieth street.....	July 21, "	1,987 30
25	Grand street, building bulkhead and filling slip at same.....	" "	259 25
25	Madison avenue, flagging, Twenty-third to Fortieth street.....	" "	169 82
25	Eleventh street, sewer, First avenue to near Second avenue.....	" "	316 23
25	Prince street, sewer, Greene to near Broadway.....	" "	100 17
25	Elm street, sewer, Anthony to Leonard street.....	" "	60 29
25	Well and pump, north side Fifty-fourth street, between Sixth and Seventh avenue .....	" "	67 24
25	Fifty-first street, opening, Tenth avenue to Hudson river.....	July 19, "	930 75
25	Forty-sixth street, regulating, Fifth to Seventh avenue.....	July 21, "	680 00
25	Twenty-third street, paving, First avenue to East river.....	" "	143 24
25	Thirty-seventh street, regulating, grading and paving Eighth to Ninth avenue.....	" "	687 54
25	Pearl street, sewer from State to Whitehall street.....	" "	25 41
25	Madison street, crosswalks at Catharine and Oliver .....	" "	3 61
25	Fourth street, crosswalks, and Union Congregational church, Avenues B and C.....	" "	2 66
25	Avenue B, paving at intersection of Thirteenth street.....	" "	63 72
25	Elm and Leonard street, basins, &c., at their intersection.....	" "	14 69
25	Centre street, raising between Leonard and Franklin street.....	" "	14 63
25	Washington street, opening Gansevoort to Twelfth street.....	Aug. 5, "	601 00
25	Fifty-first street, regulating and grading, Third to Sixth avenue.....	Sep. 13, "	631 65
25	Stanton street, sewer, basins and culverts, Suffolk to Bowery.....	" "	431 02
25	Tenth avenue, regulating, curb and gutter, and flagging and macadamizing Forty-second to Forty-sixth street.....	" "	2,865 00
25	Thirty-fourth street paving and setting curb and gutter, Fourth to Sixth avenue.....	" "	1,422 19
25	Thirty-third street, paving from Fourth to Sixth avenue .....	" "	211 79
25	Second street, sewer from Avenue A to First avenue .....	" "	23 42
25	Thirty-first street, paving from Fourth avenue to Broadway.....	" "	714 05
25	Thirty-fifth street, regulating and grading, curb and gutter and flagging in Eighth and Ninth av.	" "	230 14
25	Thirty-first street, paving Broadway to Eighth avenue.....	" "	521 33



25	Sixteenth-street, paving, and curb and gutter Avenues A and B.....	"	"	410 23
25	Forty-fifth street, regulating Second and Third avenues.....	"	"	146 00
25	Thirtieth street, flagging Seventh and Eighth avenues.....	"	"	109 67
25	Bloomingdale road, regulating and grading Fifty-ninth to Seventy-first street.....	Sept. 14,	"	1,316 30
25	Ninth avenue, paving Thirty-sixth to Forty-third street.....	"	"	3,214 40
25	Sewer in Lexington avenue, Thirty-second to Thirty-sixth street.....	"	"	1,656 56
25	Thirty-fifth street, regulating, curb and gutter Tenth avenue to Hudson river.....	"	"	437 22
25	Thirty-first street, sewer, Lexington to Fourth avenue.....	"	"	405 84
25	Sewer in Duane street, Hudson river to Hudson street, and in Greenwich street to north of Warren	"	"	77 19
25	Ninth avenue, sewer, and from Fifteenth street to Eighth avenue.....	"	"	154 92
25	Forty-sixth street, grading curb and gutter Tenth avenue to Hudson river.....	"	"	855 88
25	Eighty-third street, regulating and grading Avenue A to Third avenue.....	"	"	687 96
25	Nineteenth street, paving, curb and gutter from First avenue to East river.....	"	"	1,207 93
25	Twentieth street, paving curb and gutter from First avenue to Avenue A.....	"	"	327 65
25	Thirty-seventh street, sewer from Second avenue to about sixty feet east of Third avenue.....	"	"	1,413 64
25	Bridge street, sewer from state to near Whitehall street.....	"	"	34 82
25	Thirty-ninth street, flagging and curb and gutter from Eighth to Ninth avenue.....	"	"	726 28
25	Twenty-seventh street paving from Tenth avenue to the Hudson river.....	"	"	893 22
25	Henry street, sewer from Jefferson street to near Rutgers slip.....	"	"	6 43
25	Repairing intersection of West and Jay street.....	"	"	56 62
25	Franklin street, sewer from Elm street to near Broadway.....	"	"	162 09
25	Thirty-seventh street, flagging from Ninth to Tenth avenue.....	"	"	346 99
25	Filling sunken lots, from Thirty-fourth to Thirty-fifth street and First to Second avenue.....	"	"	87 91
25	Broome street, sewer from Green street to near Broadway.....	"	"	59 93
25	Wall street, regulating, raising, paving, and culverts and basons, Front to South street.....	"	"	56 65
25	Twenty-third street, paving from Seventh to Eighth avenue.....	"	"	181 68
25	Well and pump south westerly corner First avenue and One hundred and nineteenth street.....	Sept. 13,	"	35 50
25	Eleventh street, flagging from avenue C to B.....	Sept. 14,	"	15 66
25	Well and pump in Forty-ninth street, between Sixth and Seventh avenues.....	Sept. 13,	"	54 47
25	Sixth street, flagging from avenue C to D.....	Sept. 14,	"	34 46
25	Fencing lots between Lexington and Fourth avenues, and Thirtieth and Thirty-first street.....	"	"	89 88
26	Forty-second street, grading from Eighth to Tenth avenues, also Ninth avenue, grading from	Sept. 18,	"	5,742 73
26	Thirtieth to Forty-third street.....	Oct. 28,	"	355 91
26	Third street, sewer from Avenue A to the Bowery.....	"	"	1,533 26
26	Third avenue, paving from Fortieth to Forty-fourth street.....	"	"	222 75
26	Thirty-third street, regulating and grading from Third avenue to East river.....	"	"	
	Carried forward.....			\$171,892 94

Record No.	LOCATION.	DATE.	AMOUNT.
	Brought forward.....	.....	\$171,892 94
26	Thirty-fourth street, paving and curb and gutter from Ninth to Tenth avenue.....	Oct. 28, 1852	916 59
26	Thirtieth street, paving from the Tenth avenue to Hudson river.....	" "	231 05
26	Fourteenth street, paving from Avenue A to B.....	" "	119 89
26	Twenty-first street, paving from First avenue to East river.....	" "	83 39
26	Fortieth street, sewer from Third avenue to near Lexington avenue.....	" "	229 94
26	Thirty-eighth street, re-grading regulating and curb and gutter from Second to third avenue ..	" "	627 26
26	Mulberry street, regulating, and curb and gutter, from Prince to Houston street.....	" "	2 46
26	One hundred and nineteenth street, opening from Fourth to Eighth avenue.....	" "	4,073 68
26	Stuyvesant square, opening and laying out in the Seventeenth Ward.....	Aug. 28,	2,600 22
26	Forty-sixth street, regulating, grading and macadamizing from Eighth to Tenth avenue.....	July 31,	486 10
26	Fifth avenue, paving from Thirtieth to Forty-second street.....	Dec. 9,	1,160 51
26	Fifty-first street, regulating, paving and curb and gutter from Eighth to Tenth avenue.....	" "	5,744 90
26	Eighth avenue, regulating and grading from One hundred and Twentieth to One hundred and twenty-fifth street.....	" "	2,427 42
26	Third avenue, paving from Thirty-eighth to Fortieth street.....	" "	614 99
26	Fiftieth street, regulating and macadamizing from Eighth to Ninth avenue.....	" "	1,129 47
26	Centre street, sewer from, in Grand street to Broome.....	" "	71 32
26	Waverly place, sewer from Sixth avenue to Grove street.....	" "	7 48
26	Washington street, sewer from Battery place to Morris street.....	" "	222 74
26	Madison avenue, regulating and paving from Fortieth to Forty-second street.....	" "	67 59
26	Christie street sewer from Walker to point about 50 feet north of Bayard.....	" "	93 68
26	Forty-fourth street paving from the Eighth to Ninth avenue.....	" "	373 28
26	Marion street, sewer from Prince street to near head of Marion street.....	" "	333 38
26	Eighth avenue regulating and grading from One hundred and twenty-fifth street to One hundred and twenty-eighth street.....	" "	157 05
26	Receiving basins and culverts in Third avenue, corner of Thirty-third street.....	" "	31 78
26	Filling lots and building drain between Nineteenth and Twentieth streets, First and Second ave.	" "	43 73
26	Well in Fifty-sixth street, between the First and Second avenue.....	" "	9 45
26	Fencing lots in block bounded by Twenty-ninth to Thirtieth street, Fifth avenue and Broadway..	" "	22 13
26	Wall street, regulating, regrading and repaving from Pearl to Water street.....	" "	11 25
26	Fencing lots on Eighteenth street, between Fifth and Sixth avenues.....	" "	18 99
26	Fencing lots north side Twenty-fifth street, from Seventh to Eighth avenue.....	" "	11 90
26	Forty-second street, regulating between Second and Third avenues.....	Dec. 22,	1,997 06
	Total.....	.....	\$195,831 52

DOCUMENT No. 19.

---

BOARD OF ALDERMEN,

DECEMBER 9, 1858.

---

The following report of the Committee on Roads, together with the report of a like Committee of the Board of Councilmen, on the communication of the Board of Commissioners of the Central Park, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

The Committee on Roads, to whom was referred a report of a like Committee of the Board of Councilmen, on a communication from the Board of Commissioners of the Central Park, with recommendations in relation to the grading of the streets and avenues, by which the Park is bounded; a proposition to add to the dimensions of the Park by including within its limits the portion of the island embraced between One hundred and sixth and One hundred and tenth streets, and the Fifth and Eighth avenues; the widening of the Seventh avenue, from One hundred and tenth street to the Harlem



river, and the construction therein of two carriage-ways and a horseback roadway, together with various other valuable suggestions and recommendations of great public importance, respectfully

### REPORT:

That an examination of the subjects contained in the said communication has deeply impressed the Committee with their magnitude and importance, and a concurrence with the action of the Board of Councilmen in the adoption of the resolutions accompanying the report of said Board, is respectfully recommended.

Your Committee have been brought to this conclusion, and governed in their action mainly from a conviction that the interests of the entire city will be greatly promoted by following the course of action recommended in the communication from the Board of Commissioners for the Central Park.

Your Committee also ask a perusal and careful consideration of the questions therein treated, and feel assured that this Board will, at once, perceive the vast advantages of carrying them into practical operation.

THOMAS McSPEDON,	} Committee	
JOHN J. BRADLEY,		on
JAMES DAVIS,		Roads.

The Committee on Roads, to whom was referred the annexed communication from the Board of Commissioners of the Central Park, respectfully

#### REPORT:

That an examination of the various subjects treated of in said communication has convinced your Committee that the representation of facts made by the Commissioners of the Park is correct in every particular; that the various actions of the Common Council which are recommended, are all suggested by a study of circumstances connected with the economical construction of the park; that they would add much to the value to the city of this great improvement, would facilitate and hasten its completion, and that if undertaken immediately, they may all be accomplished by an inconsiderable expenditure.

Accompanying this report your Committee submit an accurate photographic sketch of ground from One hundred and sixth to One hundred and tenth streets, proposed to be added to the Park, and a skeleton map of the city showing the proposed approaches to the Park; also a sectional sketch showing the proposed improvement of the Seventh avenue.

Your Committee are of opinion, after a careful examination of the whole subject, and after visiting the ground under consideration, that the proposition of the Commissioners of the Central Park should receive the approbation of the Common Council; they, therefore, recommend the passage of the following preamble and resolutions:

*Whereas*, It is evident by an examination of the ground that the Central Park now ends on the top of a high,

rocky point of land which very abruptly descends to the flat known as Harlem Common; and

*Whereas*, This slope of rock is well suited by its varied and uneven surface for park scenery, and will make a beautiful and picturesque termination to that end of the Park; and

*Whereas*, It is at present almost valueless for building purposes, and the grading of the streets and avenues which will otherwise be carried through it, will cost much more than its improvement as a part of the park; and

*Whereas*, The communication between this city and the only portion of the adjoining country with which it is practicable to have it connected by a bridge, may now be made at small cost, much more convenient, beautiful, and in every way adapted to its future importance as the grand approach to the city, than will hereafter be practicable, therefore

*Resolved*, That the Common Council approve of an application to the legislature, at its next session, for the passage of a law to appoint Commissioners to take for public uses, and as an addition to the Central Park, the land included in the plat bounded by One hundred and tenth street on the north, One hundred and sixth street on the south, Fifth avenue on the east, and Eighth avenue on the west; also, to take a strip of land twenty-five feet wide on each side of the Seventh avenue, from One hundred and tenth street to Harlem river, for the purpose of widening and otherwise improving this avenue.

*Resolved*, That the Common Council approve of the suggestions made by the Board of Commissioners of the



Central Park in their communication of August 24th, 1858, with regard to the construction of the avenues and streets adjoining the Central Park, and that the specifications of contract for the grading of such streets and avenues be made in accordance with these suggestions; that from the centre line of said avenues and streets to the boundary line of the park none other than good earth filling shall be used within five feet of the surface; that the embankments for streets and avenues hereafter to be constructed adjoining the park shall be made with a slope upon the park of at least one foot and a half, horizontal measurement, to each foot of height, and that the face of such embankments for a depth of at least four feet shall consist of good earth.

*Resolved*, That the sidewalks of Fifth avenue, between Fifty-ninth and One hundred and tenth streets, be made thirty feet wide, and that the owners of property thereon have permission to enclose fifteen feet in width of the said sidewalks, so widened, for court-yards, similar to the regulations of other portions of the Fifth avenue, the Corporation reserving the right to revoke said permission, when in their opinion the necessities of the city require it.

*Resolved*, That the sidewalk on the east side of the Eighth avenue, between Fifty-ninth and One hundred and tenth streets, be made thirty feet wide.

*Resolved*, That the Commissioners of the Central Park be authorized to take so much of the earth from the plat of ground bounded by Third and Fourth avenues, and Sixty-sixth and Sixty-ninth streets, and the plat between the Fourth and Fifth avenues and Sixty-sixth and Sixty-

eighth streets, as they shall require for the purposes of the park, provided that the grade of these plats shall not be reduced for this purpose below that of the adjoining streets and avenues.

*Resolved*, That the Commissioners of the Central Park be authorized to take so much of the manure from the streets of the city, as they shall require on the park, and that the City Inspector be, and is hereby directed to reserve and place at their disposal such and so much manure brought to the various dumping grounds, as said Commissioners, or their agent may, from time to time designate.

H. W. GENET, } Committee  
S. W. GALPIN, } on  
S. A. BUNCE, } Roads.

*To the Common Council  
of the city of New York:*

The Board of Commissioners of the Central Park, respectfully

REPRESENT:

That the construction of the park has so far progressed as to demonstrate the necessity of early action upon subjects under the control of your Honorable Body, intimately connected with the park, with reference to which concurrent action is indispensable to economy in the expenditure of public money, whether by the Common Council or by the Commissioners of the park, in either case to be derived from a common source—taxation.

In constructing the avenues and streets bounding the park, it is obvious that it will not be best to follow the usual methods. Where the surface of the park is below the grade of the avenue, as it is for considerable distances, either a retaining wall should be constructed, or the material of the filling should be something beside rock, in order that the vegetation which is to cover the slopes may take root and find sustenance.

The plan of the park contemplates a broad, shaded, stately avenue, around its entire margin, six miles in length, affording, when complete, a citizens' walk, not surpassed in extent or beauty.

The lower part of the Fifth avenue is at present arranged for a sidewalk of fifteen feet, a courtyard of fifteen feet on either side, and a roadway of forty feet. On the park side of the avenue it is proposed at the line



of the curb stone to place a row of trees, and another row on the west line of the avenue, thus enclosing with shade trees a walk of thirty feet in width, comprehending both the sidewalk and the courtyard.

On the Eighth avenue no provision for a court yard has been made by the city, the roadway being sixty feet in width, and the sidewalks twenty feet on each side, making in all one hundred feet.

On the park side of the Eighth avenue, there being no occasion for accommodation for the unloading of vehicles, the railroad tracks may be laid near to the curb stone, thus giving freer space for vehicles.

The liberty to include ten feet of the roadway in the sidewalk, will give to the Eighth avenue as spacious a walk as that of the Fifth avenue, and still have the roadway fifty feet in width, or ten feet wider than that of the Fifth avenue.

It may be objected, that this arrangement will occasion a disagreeable offset of ten feet into the roadway of the avenue at One hundred and sixth and at Fifty-ninth street, and that inasmuch as the Sixth and Seventh avenues are interrupted by the park, the travel that would naturally take these avenues will be forced to the Fifth and Eighth avenues.

These objections are entitled to consideration; as to the former, the offset at Fifty-ninth street would be rendered less conspicuous by reason of the intersection at this point of Broadway, Fifty-ninth street and Eighth avenue, and the offset at One hundred and sixth street may be arranged diagonally instead of at a right angle.

The latter objection may be in some degree modified, when it is recollected that the park will relieve the avenue of all pleasure travel, at present far the greater proportion above Fifty-ninth street, and this being the central part of the city, the crowd of business can not be equal to that in the main streets in the lower part of the city, that being the gathering of traffic from a great number of the intersecting streets above.

To take ten feet from the west side of the park, to make the walk thirty feet, instead of narrowing the roadway of the Eighth avenue, would be undesirable, as well on account of its already disproportionate width as of the great expense of filling and rock cutting that would be occasioned along the whole length of the park.

The addition of twenty-five feet from the park, to the north side of Fifty-ninth street, will give the required width to the exterior circuit walk of the park, and at the same time widen the carriage way at this concentrating and important point of access to and egress from the park, and to and from the Fifth and Eighth avenues.

It is too obvious to require more than a mere statement, that the work to be done by the city on these bounding avenues should be done with reference to the plan of improvement of the Central Park; for instance, the contracts for grading these streets should require a considerable mixture of earth with the rock used in filling the avenue, and five or six feet of clear earth upon the surface of the street, from the park line to the centre line of the roadway; also, that the surface of slopes should have at least four feet depth of tolerably clear earth; without this, or some other similar arrangement, it will be impracticable

to secure a vigorous growth of trees for the walk or shrubbery on the slopes that incline from the surface of the avenue down to the surface of the park. If the earth is properly placed, when the avenue is in process of making, the expense will be but trifling if at all increased, while if once filled with unfit material, and it becomes necessary to excavate and remove it, and again replace it with material proper to promote the growth of trees, it will be at an expense which may now be avoided.

A diligent search has not discovered any ordinance or resolution of the Common Council providing for court yards on the Fifth avenue above Twenty-first street, except from One hundred and twenty-fourth to One hundred and twenty-ninth streets, though it is presumed that the same width of court yard will be enclosed through the entire length of the avenue.

Applications are before your Honorable Body, for permission to enclose court yards on the Fifth avenue, from One hundred and twenty-ninth to One hundred and thirty-fifth streets. A resolution of the Common Council, providing for court yards throughout the whole length of the avenue, would at once settle this matter, and it is believed be acceptable to the owners of property.

It is of great importance to the city, and will materially aid in the work of the Central Park, if the Fifth and Eighth avenues can be put in course of construction without delay, and the Commissioners of the Central Park respectfully urge such immediate action as will bring these two main thoroughfares to early completion. The improvement of the park will require a large amount of fertilizing matter, much of which must be obtained by



purchase; street manure will be very useful, and if the Common Council see no objection to its appropriation to the use of the park, the Commissioners of the park would respectfully request the passage of a resolution to that effect, as it would accomplish a great saving of expense to the city; and also that provision be made in the contract about to be given for cleaning the streets for such supply of street manure as may be required at the park.

There is a deficiency of material for filling at the southeastern part of the park, owing to the fact that the grade of the avenue has been here fixed at what appears to be a very immoderate and unnecessary elevation; the expense of haulage of material required for filling will be much less if the surplus earth from Hamilton square can be procured for the park.

There is much uncertainty as to the precise location and extent of Hamilton square; but few of the maps of the city represent the extent of the interest of the same with accuracy. The square originally included the block between Sixty-sixth and Sixty-eighth streets, and the Third and Fifth avenues.

The city is believed to own the block between Sixty-seventh and Sixty-eighth streets, and the Fourth and Fifth avenues, and most, if not all, of the block between Sixty-eighth and Sixty-ninth streets and the Third and Fourth avenues; to what portion of this property of the city the title of "Hamilton square," belongs, is undetermined.

There are parts of this land that require filling; other portions have a large surplus of earth, and it is for the Common Council to determine to what extent the earth

may be removed for the use of the park. It has been suggested in the Board of Aldermen, that the filling for the park should be taken from the extreme east of the square on Third avenue; this would so much increase the expense by reason of the great distance of the haul, that earth would be elsewhere more favorably procured. Should the Common Council authorize the removal of the earth to the park, it should be left sufficiently elevated above the grade of the surrounding street to facilitate its adequate drainage.

The abandonment of the square has been advocated on the ground that the Central Park has rendered it unnecessary.

Setting aside the legal difficulties of its abandonment as a square, it has been suggested that it would offer a more advantageous drill ground for the military than can be provided within the park, where provision can be made for the occasional military displays, that are more striking and extensive.

The ordinance of the Common Council providing for the impounding of animals at large in the streets, is incomplete, in so far that it does not include goats among the animals that may be impounded. The trees in the park have already suffered much from these animals; they are very numerous in the neighborhood of the park; and unless some measures are immediately taken, their depredations will be great and not easily reparable. An amendment of the ordinance on this subject, making it applicable to goats will be very serviceable. The Street Commissioner and the City Inspector have exhibited a readiness to co-operate with the Commissioners of the Central

Park, as far as they have power so to do in their respective departments, where a saving of expense can be secured to the city.

A very essential requisite to the comfort and beauty of the park is a liberal supply of water. Relying upon the Croton Aqueduct Board in this respect for such quantities of water as the existing and proposed means of supply will allow, the Board will endeavor to render it available for as many purposes as practicable. The same water may be used repeatedly according to its level, for fountains and irrigation. It is proposed to provide in each cross business street conveniences for watering the horses of cartmen and others, and at frequent intervals about the park to provide neat and tasteful fountains of constantly running water, with drinking cups, so that pure water may be readily accessible to all. The surplus water from these fountains will be used for irrigation.

With the Croton running all over the city, it is singular that so few places are provided where a person can readily procure a draught of water. One may walk a great distance in the heart of the city without being able to get a drink of water, unless at the disagreeable necessity of begging it. Wherever an old pump has been left standing, it is the continual resort of numbers for water for themselves and for their animals. Free facilities for obtaining pure water for man and beast, in frequent localities about the city, from clean vessels, would be a most acceptable convenience. The effectual drainage of the park, and of the surrounding neighborhood, will require a sewer to the East river, somewhere in the neighborhood of Seventy-fourth street.



The present sewerage system of the city will neither well accommodate the park nor its vicinity; the surface of the park at the southeast corner where the drainage concentrates, is several feet below the bottom of the proposed sewer, which is intended to take the drainage of all this neighborhood.

The drainage of the park will be brought to points of its boundaries most favorable for such sewers as the Corporation may provide to the river. On this subject the public interests will be best subserved by concurrent action of the corporate authorities with this Board.

The examination of the character of the ground at the north end of the park above One hundred and sixth street, will immediately establish the conclusion that the park was not extended to its natural termination. On the north of One hundred and sixth street, and between that street and One hundred and tenth street, and the Fifth and Eighth avenues, is a group of rocks rising from One hundred and sixth street towards One hundred and tenth street, and at about that street abruptly terminating at the flats of the Harlem Commons. At the foot of these rocks, lofty, picturesque, and admirably adapted for park scenery, is the natural boundary of the park; from them the Harlem Commons stretch away to the east and north, indicating the ultimate grade of that portion of the island. As the land rises from One hundred and sixth street towards One hundred and tenth street, a line of buildings on the north side of One hundred and sixth street will naturally interfere with the view, which is here extensive, varied, and in all respects worthy of preservation.

In regulating the cross streets, One hundred and sixth,

One hundred and seventh, One hundred and eighth and One hundred and ninth streets, an excavation of rock, in some places forty feet high, will be required, at an expense greater in many cases than the value of the lots. Should the streets be regulated under the existing laws, a large portion of the expense must be borne by the city.

At a time when taxation and debt bear so heavily upon the city, the Commissioners of the Central Park would hesitate to recommend an outlay for this plat of ground, were they not impressed with its exceeding desirability. It is picturesque and rugged, it extends the park to its obvious natural termination, and will bring with it to the park, military reminiscences of the War of 1812 and of the Revolution, that should be perpetuated. Should your Honorable Body conclude, upon an observation of the ground, that the interests of the city will be promoted by taking this land, comprising about four hundred and eighty lots, an expression of the opinion of the municipal authorities on a subject so interesting to the city will be a guide to the legislature at its coming session, should an application be then made for the appointment of Commissioners to take this land for public use. The lots proposed to be added are but of comparatively small value, and it will always be an occasion of regret if they are not secured to the city, while it can be done without great outlay. Photographic sketches of the natural surface of the proposed extension are herewith submitted, to aid your Honorable Body in the consideration of the subject.

Though not strictly within the scope of their jurisdiction, the Commissioners of the Central Park deem the subject of agreeable and convenient access to the park, one that naturally claims their attention.

In their study of the Central Park and the avenues by which it is to be approached, an agreeable access to the park, and to the upper end of the island by a road not paved with cobbles, nor occupied by a railroad, appears to them to be an universally recognized want of the people of the city. The great distance to be traversed over pavements before reaching a smooth, pleasant ride or drive, is one of the great inconveniences and obstacles to a more general custom of riding and driving.

Your Honorable Body will, without doubt, concur that no city of the magnitude and extent of this, should be without the very highest facilities for a spacious, agreeable, and easily accessible ride and drive. There is scarcely a city of any pretensions in this country or in Europe without superior facilities in this respect to our own. London, Paris, Vienna and Berlin, each have their grand ride and drive. The opportunity to provide such facilities at a reasonable cost should not be suffered to elapse. Railroads have taken possession of the Second, Third, Fourth, Sixth, Eighth and Tenth avenues, and a grant has been made for the Ninth avenue.

Whatever may be said of the conveniences of the city railroads to the people, and they are unquestionably very great, they are a very great inconvenience as at present constructed to those driving carts, drays or pleasure vehicles of any sort.

The Seventh avenue is as yet exempt; it is a central avenue, the backbone of the city, and now affords a most favorable opportunity to supply this great want. Broadway is already paved with the Russ and Belgian pavement to Union square, from whence diverge many import-



ant avenues; by continuing the Belgian pavement in Broadway to its junction with the Seventh avenue at Forty-fourth street, and Macadamizing, or similarly paving this avenue from thence to the park, an agreeable and direct access may be provided to the park, without any expense that will not be worth all its cost to the city irrespective of the park.

The Seventh avenue should be planted from its intersection with Broadway, and shade trees on either side, up to the grand entrance gate of the park on Fifty-ninth street. From the north end of the park let the Seventh avenue be widened by taking twenty-five feet from the lots on either of its sides, making the avenue one hundred and fifty feet wide, arranging its width as follows: sidewalks twenty-two feet each, two carriage-ways of thirty-eight feet each, and a horseback ride of thirty feet, as represented on the accompanying diagram. Between the sidewalks and the carriage-way, on each side at the curb stone line, and between the carriage roads and the horseback ride, should be planted rows of trees, ultimately to overshadow the whole avenue. The carriage-ways to be constructed of gravel mixed with soft slate placed upon a bed of stone, and a horseback ride of a still softer material and thoroughly constructed. This material, it is believed, will be preferable in this climate to the metal used on Macadamized roads, being both less rigid and less dusty. By this arrangement, those who ride and drive will be provided with a smoothly paved road from the Battery, through Broadway and Seventh avenue, to the park, up to which point it is not proposed to divide the Seventh avenue, nor otherwise change it than by rows of trees, and by

making it a road of gravel or of Belgian pavement instead of cobbles. Entering the park at the southerly gate, they course along its winding roads to the north gate; leaving the park, and again taking a stately and shaded avenue with a separate walk on each side with two drives, one for those going forth, and the other for those returning, and a horseback ride between, they proceed nearly two miles to the Harlem river, to the free bridge at McComb's Dam, now constructing, over which the varied country roads of Westchester and the roads to Kingsbridge, are readily accessible. It is believed that owners of property on the Seventh avenue find it to their interest to yield twenty-five feet of their lots for the widening of an avenue which would become at once the most beautiful and the most frequented of any in the city. Is it not due to the metropolitan character of this growing city, in ten years to number over a million of people, that its guardians and governors should now provide while it may be done at a moderate expense, an avenue that will add so much to its attractiveness, and induce the freer indulgence in the healthful exercises of driving and riding.

The extent to which the roads and walks of the park will be frequented, has not yet been appreciated; already carriages are seeking admission after the workmen have left for the day; the city is already crowding upon its borders. But a year or two ago the beautiful edifice of the Dutch Reformed Church was constructed far up-town, on the corner of Twenty-ninth street and Fifth avenue. The Broadway Tabernacle is nearly completed on the corner of Thirty-fourth street. The Brick Church, (Dr. Spring's) on the corner of Thirty-seventh street and Fifth avenue, within twenty-two blocks of the Central Park, lifts

its spire conspicuous for miles. Preparations are already making for the erection of St. Patrick's Cathedral, a structure of magnificent proportions, on a most commanding site, within seven blocks of the park. The Orphan Asylum, the Hospital of St. Luke, Columbia College—all in the immediate neighborhood of the park—indicate how very near it is to the constructed portion of the city, and the necessity of providing for the population that must soon surround them.

The Commissioners of the Central Park respectfully present the above suggestions, with confidence that they will meet the same courteous consideration that has been extended by your Honorable Body to the communications that they have heretofore had the honor to make, concerning the common interests of the people of the city.

By order of the Board,

AND. H. GREEN,

*President of the Board of Commissioners*

*of the Central Park.*

Dated New York, August 24th, 1858.



making for the erection of St. John's Cathedral,  
situated on a magnificent property, on a most commanding  
site, which would afford a fine view of the city.  
A system of drainage at St. John's Cathedral  
all in the immediate neighborhood of the same - indicates  
how very near it is to the center of the city,  
and the necessity of it for the people of that

especially  
that they  
has been  
communications  
city.

DOCUMENT No. 20.

---

# BOARD OF ALDERMEN,

DECEMBER 13, 1858.

---

The following Communication was received from the Street Commissioner, relative to outstanding claims against the city, for work done, and supplies furnished the Bureau of Roads, and transmitting bills and claims, (numbered from part 1 to 4, inclusive), allowed, not allowed, and deductions made from, by John B. Cozzens, was received, laid on the table, and directed to be printed.

D. T. VALENTINE, *Clerk.*

---

STREET DEPARTMENT,

December 8, 1858.

*To the Honorable the Common Council:*

GENTLEMEN:—In reply to the resolution passed by your Honorable Body, July, 1858, and approved by the Mayor, August 2, 1858, directing that the Street Commissioner

should cause an examination to be made with regard to the various claims sent in against the city, for work done, or supplies furnished, during the contested administrations of Messrs. Conover and Devlin, so as to determine, in each case, as nearly as may be, the necessity for such expenditures, and the fair value of the work or supplies, and authorizing the Street Commissioner to employ competent persons to conduct such examinations; and further directing him to report the result of such examinations to the Common Council, I beg to state:

That in obedience to the foregoing resolution and authorization, the late Street Commissioner, Mr. Edward Cooper, appointed Mr. John B. Cozzens, an accountant of well established reputation, to examine and report upon the numerous bills and claims, Mr. Cozzens having liberty to call in the advice of expert mechanics to aid him in estimating the extent and value of work done, and supplies furnished, wherever he might deem such advice and assistance necessary.

I transmit herewith, in four parts, the general report furnished by Mr. Cozzens, to this department.

Part first, refers to bills found to be correct, amounting to ..... \$23,980 27

Part second, refers to bills on which deductions have been made, such bills amounting on their face to..... 40,945 40

Deductions by Mr. Cozzens. 11,290 39

---

Leaving unsettled a balance of ..... \$29,655 01

Part third, refers to claims not allowed, amounting to..... 1,564 05



Part fourth, to bills for work done, and goods delivered for the roads, amounting in all to.....	60,520 28
On which the Comptroller has already paid, under judgment and otherwise.....	33,588 47
Leaving of bills and claims still unsettled..	26,931 81
Of which Mr. Cozzens refuses to allow....	1,200 00
And has made deductions, amounting to...	794 32
Showing a balance still unsettled of.....	24,937 49

Mr. Cozzens reports on this last item, (part fourth), that he does not believe, from inquiries made, and the result of his examinations, "that more than one half of this work, (on roads), has been done."

Full copies of all these bills, with a detailed report on each case, will be transmitted for your consideration and action, as soon as such copies can be made and verified in this department.

Respectfully submitted,

G. W. SMITH,  
*Street Commissioner.*

## (Part First.)

*Bills and Claims found to be correct, by John B. Cozzens.*

NEW YORK, November, 1858.

GUSTAVUS W. SMITH, ESQ., *Street Commissioner:*

SIR—I have examined and had estimates made on the following bills, and have to

## REPORT:

Bills of Edmond Jones, for stationery and printing, the prices charged do not vary from the price now paid by this Department. All the bills are certified by the proper persons as to delivery:

Street Commissioner's Office..... \$1,167 50

City Inspector's Office..... 4,472 35 \$5,639 85

Bills of W. H. Arthur & Co., for stationery and printing. I find the charges for stationery about the same the department is now paying, and do not differ from the estimate I had made on the printing. As to delivery, I cannot get any more information than is contained in the requisitions inclosed, with the exception of the bills certified by O. Rhines and J. B. Pollock. Bills amount to ..... 2,724 79

Bill of Messrs. Wilcox, Mellen & Co. I find it correct, prices fair, and goods delivered. Amounts to..... 193 20

Bill of James Donnelly, for wood and coal. This has been examined and vouchers produced by Mr. Donnelly, for all except three tons of coal, which I have deducted. Bill amounts to ..... 3,864 90

Carried forward..... \$12,422 74

Brought forward.....	\$12,422 74
Bills of Edward Sopher, caulking, &c. I find bills correct, prices fair, and work done..	172 59
New York Abend Zeitung, bill for advertising; Mr. Laurence, Contract Clerk, certifies to it being correct.....	13 00
Messrs. Bates & Farrington's bill. I find this bill correct, work done, goods delivered..	33 87
Bill of Jonathan Hanson, for work done on Corporation pumps. It is almost impossible to make a report on this bill, Mr. Hanson bears a good character, and I believe the bill just and fair .....	94 75
Bills of Albert J. Terhune, for glazing. It is almost impossible for me to make a satisfactory report on these bills. The work was done last year, and since then may have been renewed; I find bill against engine and hose houses correct as to the work having been done; also, that the charges on all the bills are fair and just .....	542 93
Bills of Pine & Hartshorn. I find, from inspection, that the work was done; I have had a competent person to examine the charges, and find them fair .....	615 00
Bills of James Boyland, for cartage. I find that the bill amounting to \$19, is correct, that the work was done; I can get no information as to the other bills, as Mr. Lemont left no books; from inquiries I have made, I think the other bills correct. The bill amounts to..	102 88
Carried forward.....	\$13,997 76



Brought forward..... \$13,997 76

Bill of William Stevenson, for soft soap.  
This bill is certified to, as to delivery, the  
price is just and fair. Bill amounts to..... 96 25

Bill of James Bebee & Co. I find this bill  
correct, price fair, the goods delivered. Bill  
amounts to..... 342 50

I would respectfully recommend the pay-  
ment of the following bills, as they are certi-  
fied to by the proper authority:

D. B. Welch .....	\$6 00	
Washington Mackenzie.....	8 13	
Geo. W. Spencer .....	6 00	
E. Marriner.....	16 00	
Mrs. Martin .....	4 00	
Fulton & McFarland.....	2 50	
Ennover & Charlock.....	11 33	54 01

Bills of John Moore. I find the work done,  
and charges fair. Bill amounts to..... 44 26

Bill of Stephen Phelbin. I have examined  
this bill, and find the charges fair, and bill  
correct ..... 15 41

Bill of A. Finch. I have examined this bill  
and find the charges fair and bill correct..... 36 83

Bills of W. N. Seymour & Co. I find the  
price charged in these bills correct; I also  
find, at No. 74 Ludlow street, the hand-cuffs,  
or part of them, which I do not find on any  
other bill..... 124 80

Bill of Albert P. Moriarty, painting engine  
No. 33. Correct; this work was done..... 75 00

Carried forward..... \$14,786 82

Brought forward.....	\$14,786 82
Bill of Messrs. Pike & Son. Correct; goods delivered, prices fair.....	20 00
Bills of Owen Farrell. I find these bills correct, work done, price fair.....	75 00
Bills of Black & Benjamin. I find from the inclosed requisitions and receipts that the goods were delivered; the price is the same as now paid by the department.....	120 56
Bill of Adam Miller. I find that the goods were delivered; Mr. Bocket estimated on this bill, and found the charges fair.....	152 00
Bill of James Ferris. Mr. Ben. Blackledge estimated on this work, and found the charge correct .....	125 00
Bill of R. T. Entwistle, for cleaning exempt engine, amounting to \$75, for three quarters of a year. This company is differently organized from any other in the Fire Department; it is composed of exempt firemen, and are allowed this by the Chief Engineer of the Fire Department. I find that the work has been done .....	75 00
Bill of D. McCumeskey. I find this work done, the charge fair .....	7 50
Bill of Benjamin Scott. I find that this bill is correct, the charges fair.....	20 50
The following bills were estimated on by R. B. Fosdick, and found to be correct; the work has been done, charges fair.	
Carried forward.....	\$15,382 38

Brought forward.....	\$15,382 38
Thomas Campbell .....	35 11
Michael Dunn .....	31 00
B. Cloud .....	114 43
J. H. Johnson .....	20 00
Hiram Weeks.....	231 21
T. Walters .....	71 00

Mr. Ben. Blackledge estimated on these bills  
and found the work done, price correct:

Bill of M. W. Creamor.....	37 24
“ W. W. Owens .....	25 62
“ W. W. Owens .....	37 80

Bills of Henry Homer. It is almost impos-  
sible to find, from firemen, if the bills for re-  
pairing engine and hose carriages are correct,  
as they are repaired so often. I can only say  
that from examination and inspection, I think  
these bills are correct .....

843 63

Bills of R. B. Allen .....	46 50
“ Theo. Pratt.....	27 00
“ John Moore.....	23 50
“ David Clark .....	41 25

I find the prices fair in the above bills; as  
to delivery, the bills are all certified by the  
proper authority.

Bills for labor done at Second District Court,  
I find, from inquiries, that this work was done,  
and the following men have not been paid:

Bernard McIntire.....	16 50
-----------------------	-------

Carried forward..... \$16,784 17



Brought forward.....	\$16,784 17
John Pembroke .....	16 50
Thomas Gray .....	16 50

Bill of John H. Bowie & Co., for furnishing Fire Department with hose. From the certificate of Henry Howard these bills are correct as to delivery. The price charged is the same as now paid by this department, or was, before the work was given out by contract. I would respectfully call your attention to these bills. There is an ordinance of the Corporation, that all bills of more than two hundred and fifty dollars shall be given out by contract. All these bills are just under two hundred and fifty dollars, but amount to ..... 1,167 15

Bills of A. M. C. Smith, for hose furnished Fire Department. From the certificate of Henry Howard the bills are correct, as to delivery. The prices charged are the same as paid by this department before giving out the work by contract. I would respectfully call your attention to these bills, all for the same article, furnished within three and one-half months, amounting to ..... 2,548 08

Bill of Joseph Dunbar, for carpenter's work done on the house of hose company No. 15; this bill is certified by the proper authority. I beg respectfully to recommend payment.... 6 43

Carried forward..... \$20,738 83

Brought forward.....\$20,738 83

I find the enclosed bills for advertising correct:

New York Times..... 234 00

Journal of Commerce ..... 89 50

Bill of Little & Orr. I find, from examination and inspection, that this work was done, on the outside of slip foot of Amos street, or West Tenth street. I beg respectfully to recommend payment—two bills ..... 489 51

Bill of R. Barnaby. I can get no information as to the delivery of the goods; the price is fair, and from the character of the gentleman I would recommend payment..... 39 68

Bill of Messrs. Campbell & Moody. I can get no information as to delivery, more than the certificate on the bill. From the character of the gentlemen I would respectfully recommend payment..... 46 06

Bill of J. W. Vanderwater. I have examined this bill and find it correct; goods delivered; prices fair..... 61 76

From the enclosed statement of D. D. Conover and John Lynes, I find the following men were employed, as specified in their bills. As to the men employed before the 1st of July, 1857, as per statement of John Lynes, there can be no doubt that their bills are correct, as Mr. Lynes was appointed by Joseph Taylor:

Carried forward..... \$21,699 34

Carried forward.....\$21,699 34

	Certified to by D. D. Conover.	Certified to by John Lynes.	
Jos. Hyde, lamp insp'r..	\$369 00...	\$78 43	447 43
Edward Coe .....	430 50....	91 50	522 00
Henry Roberts.....	430 50....	91 50	522 00
Lucius B. Allen . ....	430 50....	91 50	522 00
John McCullum.....	....	18 00	18 00
Eliza Thomas.....	....	32 00	32 00
L. F. B. Homes .....	....	18 00	18 00
Hiram Chandler.....	199 50....	....	199 50
			<u>\$23,980 27</u>

All of which I respectfully submit.

Your obedient servant,

JOHN B. COZZENS.



(Part Second.)

*Bills and Claims on which Deductions have been made by  
John B Cozzens.*

NEW YORK, December 1st, 1858.

GUSTAVUS W. SMITH, Esq., *Street Commissioner,*

SIR:—I have to report on the enclosed bills.

	Amount charged.	Amount allowed.
Bill of A. Allendorph; I find the goods delivered; Mr. Bocket, the person I employed to estimate on the price, has made the following award.....	\$42 00	\$37 00
Bill of George F. Nesbitt & Co., for printing and stationery; I have had this bill estimated on by a competent person, who allows.....	335 10	294 88
Bills of W.V. Adams; Mr. Curtis and I have examined and estimated on the enclosed bills; the bills for supplies furnished Bureau of Repairs and Supplies; I can give no information as to delivery, except finding some articles on store at 74 Ludlow street; I have allowed that these goods were delivered, and put down the prices at what I can buy them for; the most of the deductions on these bills are for work not having been done and goods not delivered; I understand that Adams is now sueing.....	1,059 55	736 10
Carried forward.....	\$1,436 65	\$1,067 98

	Amount charged.	Amount allowed.
Brought forward.....	\$1,436 65	\$1,067 98
Bill of W. H. Johnson; Mr. Curtis and I have examined and estimated on these bills, and have allowed as follows.....	576 33	488 78
I have to report on the enclosed bill of J. Johnson & Co.		
This bill is for engraving and plating hose-carriage No. 7; I understand that all this work was formerly paid for by the hose company. This bill has been estimated on and the award is.....	82 00	54 38
I have to report on the enclosed bills for painting; Mr. R. B. Fosdick and I have examined and estimated on these bills and have made the following award.....		
Lewis Ryer, painting engine-house No. 16.....	75 00	51 06
George Hook, do. 33.....	391 66	217 14
Do. do. ....	132 25	114 00
Peter J. Henry, do. ....	1,527 83	1,035 76
C. Van Blarcom, do. ....	789 44	665 72
John Brower, do. ....	249 16	195 40
John R. Finch, do. ....	42 75	30 00
Francis Prince, 5 bills, do. ....	523 51	469 53
I understand that the assignee of Francis Prince is now suing for one of his bills.		
Carried forward.....	\$5,826 58	\$4,389 75

	Amount charged.	Amount allowed.
Brought forward . . . . .	\$5,826 58	\$4,389 75
Alexander Proudfoot, painting . . . .	231 40	185 12
Bills of Plume & Larmant; I find at No. 74 Ludlow street 38 boxes of N. A. Soap; it is of the very poorest quality; I have had it estim- ated on and find it is not worth more than four cents per pound; I have allowed that the soap was de- livered . . . . .	238 36	158 24
Bills of J. M. D. Davidson, for iron safes, lanterns, &c.; I find the safes delivered; I can buy them delivered, the same size safe, made by Herring or Marvin, at the prices allowed; I also find at No. 74 Lud- low street on store a lot of lanterns that I can buy for the prices al- lowed . . . . .	1,669 70	1,061 75
W. R. Havens; Mr. Townsend estimated on these bills and has made the following award . . . . .	2,511 31	1,898 59
F. Anspake, for caulking; Mr. W. Bennett estimated on this bill and made the award as follows . . . . .	75 00	33 15
I have to report on the bills of Patrick Burns; I have allowed the same prices as are now paid by this department; one of the bills		
Carried forward . . . . .	\$10,552 35	\$7,726 60



	Amount charged.	Amount allowed.
Brought forward.....	\$10,552 35	\$7,726 60
for work done on claims in the park I have not allowed, as I cannot find that the work was done; Mr. Taylor, former keeper of the City Hall, says "that it was not,".....	894 42	388 53
Richard Tweed; I have had the bills estimated and allow the same prices that I can buy for; there is \$108 charged for chairs furnished Street Commissioner's office; I can- not allow this, as there is not, nor has there been that number in the present office, nor was there that number in the office under City Hall when you took possession of the Street Department; amount al- lowed.....	462 00	270 50
I have to report on bill of A. S. Pell, for snow shovels; I find a lot of snow shovels on store at 74 Lud- low street; I cannot allow the price charged.....	36 00	27 00
I have to report on the enclosed bill for mason work; Mr. Ben Black- ledge estimated on these bills, hav- ing inspected the work with him, I think that he has made a just award, as follows:		
Carried forward.....	\$11,944 77	\$8,412 63

	Amount charged.	Amount allowed.
Brought forward.....	\$11,944 77	\$8,412 63
Thomas Donnelly.....	\$159 65	\$74 50
Patrick McDermott.....	30 00	15 00
John Ure.....	74 00	50 00
John McCoole.....	835 39	396 57

You will find another bill of John McCoole of \$248 45 for work at engine-house No. 2 in this bill; Mr. B. has not reported as he could not find enough work to cover the bills of John McCoole paid by the Comptroller, amounting to \$412 04, for work done at the same house at the same time.

Patrick Connell.....	45 00	24 00
Patrick Gibney for.....	53 75	23 63

Repairs on hose house No. 29; I understand that the owner of this property is bound by the lease to do all the repairs; the following bills have been presented for work done on this house:

Patrick Gibney.....	\$53 75
A. J. Garvey.....	155 24
W. H. Johnson.....	59 13
Paid Berrien, Simpson & West.....	418 13

I have to report on Daniel Higgins' bill; I cannot allow more than

Carried forward.....	\$13,142 56	\$8,996 33
----------------------	-------------	------------

	Amount charged.	Amount allowed.
Brought forward.....	\$13,142 56	\$8,996 33
\$75 for this bill; I can buy fifty as- sorted trees at 50 cents each; I have allowed for extra trees in this award.....	\$131 00	\$75 00
Bills of Wm. Coulton; Mr. Jona- than Purdy has examined and es- timated on these bills and finds the work done, and recommends a de- duction of 25 per cent. on the charges for labor.....	1,024 38	923 38
Bills of George Boyd; I have ex- amined and have had these bills estimated on, and have allowed the following award.....	1,103 25	824 23
Bill of Jos'ph Wainwright; Jona- than Purdy has estimated on this bill and has reported a deduction of 40 per cent.....	349 26	209 56
I have to report on the enclosed bills; I have examined, and from in- formation I find the work was done; I cannot allow the prices charged; I have made the following award:		
John Lynch.....	12 00	9 00
Dennis Boyle.....	2 00	1 50
Patrick Carroll.....	2 00	1 50
Thomas Gray.....	2 00	1 50
Carried forward.....	\$15,768 45	\$11,042 00



	Amount charged.	Amount allowed.
Brought forward.....	\$15,768 45	\$11,042 00
P. Galligan. ....	2 00	1 50
James Glass.....	2 00	1 50
Nicholas Sexton, carpenter work Second District Court; I find that this work was done at the Court- room in Chambers street; I have allowed it was done, but have made a deduction of 40 per cent.....	52 21	31 33
Thomas Carter bills; Mr. Curtis and I have examined and estimated on these bills and make the follow- ing award.....	1,483 21	1,334 67
Smith and Lounsberry bills; Mr. Townsend estimated on the carpets, Mr. Willson on the window-shades, Mr. Nicholl on the statuary and vases, and have made the following award.....	1,195 86	898 95
Bills of Ellis & Thomas; I find goods delivered, but make a deduc- tion on printing, as I have it esti- mated on and find it overcharged..	355 62	327 43
Bills of Ingersoll, Jewett & Co.; Mr. Jonathan Purdy and I have examined and estimated on these bills; we find the work done and goods delivered; the charges are too high; we recommend a deduc- tion of 25 per cent.....	2,702 73	2,027 05
Carried forward.....	\$21,562 08	\$15,664 43

	Amount charged.	Amount allowed.
Brought forward . . . . .	\$21,562 08	\$15,664 43
<p>Bills of R. Fitzpatrick; Mr. Curtis and I have examined and estimated on these bills; I have allowed the same price for plumber's work as is now paid by this department. There is one bill for lamp post, &amp;c., furnished St. Ann Church, not allowed, as the Historical Society put up the gas fixtures at their expense . . . . .</p>		
	871 94	632 26
<p>Bills of David R. Smith; I find from inspection that the work was done; I have allowed the same prices as are now paid by the department . . . . .</p>		
	1,331 73	1,287 68
<p>Bill of Hugh Turney; I find the goods delivered but charged too high . . . . .</p>		
	47 00	38 00
<p>Bills of Joseph Hughes; I have examined and had these bills estimated on; I have allowed the same price that I can buy for at retail, with the exception of one bill that does not state where the goods were delivered; this, with the deduction on the prices will amount to \$56 50c. more . . . . .</p>		
	3,008 75	2,277 25
Carried forward . . . . .	\$26,831 50	\$19,899 62

	Amount charged,	Amount allowed.
Brought forward.....	\$26,831 50	\$19,899 62
Bills of E. Corning & Co., for dark lanterns; I do not find all the lanterns on store at No. 74 Ludlow street, only about 6 dozen; I cannot give any information as to the delivery more than R. Lemont's cer- tificate; I can buy the same for the prices allowed.....	327 50	152 83
Bills of Wainwright, Sayer & Co; I cannot make a satisfactory report on these bills; I have allowed the prices fixed by persons I employed to estimate on the goods now in store at No. 74 Ludlow street; in examining and comparing them with the receipts enclosed, I have come to the conclusion that not more than one-half were delivered; for instance, one bill calls for 27 fancy water coolers, the receipt is for 48; there are 42 dozen spittoons charged on these bills, also 2600 feet of hose, in mid-winter, for street washing; I do not find more than 600 feet in store at No. 74 Ludlow street, hardware, soap, dry goods, crockery, glass, oil, &c.. all not be- longing to their proper business..	4,087 74	2,644 81
Carried forward.....	\$31,246 74	\$22,697 26



	Amount charged.	Amount allowed.
Brought forward.....	\$31,246 74	\$22,697 76
James L. Van Wart bills; I do not find that all the work these bills call for was done, and where I find it has been done, it is charged too high; I would recommend a deduction of 50 per cent. on these bills, as they are not approved by the Superintendent of Street Improvements or the Inspector of Sidewalks.....	462 00	231 00
Wm. M. Tweed bills, for furnishing beds, bedsteads, mattresses, &c., to hook and ladder companies; I have allowed the same prices that I can buy for at retail, when I found from inspection the goods had been delivered .....	626 00	490 50
Wm. M. Tweed bills, for furnishing hose companies with beds, chairs, bedsteads, &c.; I find the goods delivered, with the exception of hose company No. 57, which I have not allowed; I have allowed the same price that I can buy for at retail .....	3,160 00	2,376 25
Bills of Aaron C. Jewell, for flagging, &c.; I find the work was done and have allowed the price now paid by the department.....	298 09	211 72
Carried forward.....	\$35,792 83	\$26,006 73

	Amount charged.	Amount allowed.
Brought forward.....	\$35,792 83	\$26,006 73

I have to report on the bills of Messrs. Loomis & Phelps, for flagging; I find that the work was done and have allowed the price the department now pays for same work.

700 21	484 31
--------	--------

Wm. M. Tweed bills, for furnishing engine-house with bedsteads, chairs, mattresses, &c.; I find the goods delivered; I have allowed the same prices that I can buy the same articles for at retail .....

2,795 75	2,164 00
----------	----------

Bills of John Quinn; I understand that Quinn has recovered by judgment all these bills, with the exception of the one for stone and gravel delivered on the roads; this bill is not signed or approved by any proper authority, nor does he state who authorized the work; I cannot allow this bill.....

145 50
--------

	Amount charged.	Amount allowed.
Bill No. 1....	\$160 00	\$120 00
" 1....	32 50	32 50
" 2....	36 00	not done
" 2....	146 20	" "
" 4 ...	96 00	72 00
" 4....	150 00	
" 5....	225 00	not done

Carried forward.....	\$39,434 29	\$28,655 04
----------------------	-------------	-------------

	Amount charged.	Amount allowed:
Brought forward.....	\$39,434 29	\$28,655 04
<p>Bill No. 5; Thomas Cosgrove has a bill for this work and I know he did it; for more detailed information I refer you to the separate report on each bill enclosed, with bill.</p> <p>Hugh McCabe bills; I do not find that all this work was done as charged in these bills; the price charged for the work done is too high; I have allowed that the work was all done, but taken off 50 per cent. from all his bills; I understand that McCabe is now sueing, or has sued the city for his bills.....</p>		
	737 44	368 72
<p>H. Sperry &amp; Co. bills; I find that with the exception of three clocks ordered by Geo. Boyd and by him charged to the Corporation, that these bills are correct, price fair..</p>		
	209 00	179 00
<p>Bill of O. D. Case; I find this bill correct as to delivery; the work has been done, charges fair, with the exception of furnishing stairs of hose company No. 7 with oil cloth and zinc, which is over-charged; I have made the following deduction.....</p>		
	180 14	172 79
Carried forward.....	\$40,560 87	\$29,375 55



	Amount charged.	Amount allowed.
Brought forward.....	\$40,560 87	\$29,375 55
<p>Claim of E. Green, for services as clerk in Street Commissioner's office; all the information I can get is contained in the enclosed letter of Mr. Wm. Allen, June 25, 1858, as follows:—</p> <p>I find, on examination of bill of E. Green, that he held no letter of appointment under either of the claimants of the Street Commissioner's office who preceded you, but he is put down in the pay-roll of Mr. Conover as fifth clerk, and paid by the Comptroller as general clerk, \$1,000 per year; I also find that the last work he did in this office was May 5th, 1858; also, that he has not been here since May 6, 1858; that for services as <i>general clerk</i> in the Street Department he was paid in full to May 1st, 1858, last; see voucher No. 3337, on file in the Comptroller's office; from this it will appear that he has no claims beyond the time served in May, five or six days. I have allowed six days, as follows.....</p>		
	43 84	16 44
Carried forward.....	\$40,594 71	\$29,391 99

	Amount charged.	Amount allowed.
Brought forward.....	\$40,594 71	\$29,391 99
Bill of John Caffrey, for stoves, &c.; I find that this work was done, goods delivered, the price charged too high; I would respectfully re- commend a deduction of 25 per cent. on this bill; I understand that Mr. J. Cafferty is sueing for this bill .....	350 69	263 02
Total.....	<u>\$40,945 40</u>	<u>\$29,655 01</u>

All of which I beg respectfully to submit.

Your obedient servant,

JOHN B. COZZENS.

## (Part Third.)

*Bills and Claims not allowed by John B. Cozzens.*

I have to report on the inclosed bill of Thos. Johnson, for services as Inspector of Lamps. It is not approved by either of the Superintendents of Lamps and Gas, or the Street Commissioner. The affidavit is not signed; I cannot allow this bill..... \$186 00

Claim of Bernard McParlin, for services as inspector grading Third avenue, between Eighty-sixth street and One hundred and Tenth street; Captain Thomas Hoyatt was appointed inspector on this work, and made his reports regularly at this office, until removed by Mr. Cooper. Bernard McParlin was not known at the Street Commissioner's office as inspector; said Bernard McParlin has recovered two hundred dollars, by judgment, that he is not entitled to..... 40 00

Claim of Daniel McGinn, as inspector. All the information I can get is contained in the following letter from M. Lovell, as follows: The accompanying bill of Daniel McGinn, for payment, as inspector, on Seventy-ninth street, between Broadway and Hudson river, is herewith returned. McGinn was paid by return of judgment, October 10, 1857..... \$187 87

J. P. McGinn was paid, by judgment, December 2, 1857 ..... 176 53

William Twine was paid, on the 27th of October, 1857..... 270 00

Carried forward..... \$226 00



Brought forward..... \$226 00

By records of this office Mr. Twine appears to be the proper inspector, and has duly made his reports as such. The ordinance authorizing the work, gives power to appoint an inspector. I would not recommend the payment of McGinn's claim. Signed, M. Lovell. Not allowed .....

82 00

Claim of Jno. H. Van Tassell, for pay as inspector on dredging at the foot of Morton street, rejected, because resolution authorizing work was passed April 22, 1857, and he only claims pay before April 27, 1857. His appointment was for Vestry street, and Morton street is filled in in a different hand. Subsequent resolution did not authorize an inspector; also no contract was ever made.....

70 00

I have to report against the payment of the bill of Charles Whitlock, as inspector on pier at Manhattanville. Mr. E. Smith, surveyor on this work, reports it finished July 1, 1857. Charles Whitlock claims, that he was appointed December 1st, 1857, after the work was reported complete.....

242 00

I have to report on the claim of P. H. Dreyer. I can get no information as to this claim, as there were no books left at the office of the Superintendent of Repairs and Supplies, under whom this work was done. I cannot find if he was appointed, or at what time the work was completed .....

108 00

Carried forward..... \$728 00

Brought forward ..... \$728 00

I have to report on the bills of James Gaffney, two bills, both rejected. The larger one, \$285 75, because the ordinance, authorizing work, did not give power to appoint an inspector; the smaller one, \$30 30, because Gaffney was paid all that was due him. The above is the report made last June, by Mr. W. Allen. I can get no other information.....

316 05

Claim of Edward Merritt, as inspector of sidewalks, from November 17, 1857 to April 24, 1858. I find in letter book H, now in the Street Commissioner's office, page 167, his discharge July 2, 1857, by Charles Devlin. I also find, in letter book I, his discharge, November 17, 1857, by D. D. Conover. I cannot allow this bill.....

520 00

\$1,564 05

Since making my report on the claim of P. H. Dreyer, I am informed that he was employed by the contractors on this work, and has no claim against the city.

All of which I beg respectfully to submit,

Your obedient servant,

JOHN B. COZZENS.

## (Part Fourth.)

*Bills and Claims for Work done, and Supplies furnished on Roads,  
by John B. Cozzens.*

NEW YORK, November 26, 1858.

GUSTAVUS W. SMITH, Esq., *Street Commissioner,*

SIR:—I have to report on the following bills, for work done on, and goods delivered for the roads:

Bill of Michael Healf, inspector on roads. This bill is not approved by either of the Superintendents of Roads, or sworn to. I beg respectfully to report against its payment.... \$14 00

Bill of John Moore, for tools. I cannot allow this bill, as it is not approved or sworn to, or made out against the city..... 23 50

Bill of Thomas Burns, for labor. I cannot allow this bill, as it is not approved or sworn to by any proper authority..... 3 00

Bill of John Irving, for labor. I find John Irving's name as paid in full, to January 1st, 1858, on pay-roll in Comptroller's office. I cannot allow this bill..... 10 50

Bill of Samuel Burchell, for labor. This bill is not approved or sworn to by any proper authority. I cannot allow this bill..... 20 00

Bill of Hazard Powder Company. This bill is not approved by any proper authority, nor is it sworn to. I cannot allow this bill.. 14 50

Bill of D. I. Dusenberry; difference between a new and second-hand wagon, not made out against the city, but charged to William Goodheart. I cannot allow this bill..... 70 00

Carried forward..... \$155 50



Brought forward . . . . .	\$155 50
Bill of Richard Bamber, for labor. I find, from pay-roll in Comptroller's office, that Richard Bamber was paid \$67 50, May 4th, 1858. This is just the amount of his bill. I cannot allow this bill . . . . .	67 50
Bill of James O'Connell. I find that James O'Connell was paid \$37 50, on pay-roll in May last, by the Comptroller. As this is the amount of his bill, I must report against its payment . . . . .	37 50
Bill of Patrick Brennen. I find that P. Brennen was paid, on the pay-roll of William Goodheart, \$66, May 4th, 1858, by the Comptroller. As this is the same as his bill, I must report against its payment . . . . .	66 00
Bill of Boltes Moore, for work done behind bulkhead, foot of One hundred and twenty-fifth street. I find, from inspection and examination, that Mr. Moore has cut down One hundred and twenty-fifth street, below the grade, about two and a half feet, for one block, and filled in with part of the earth behind the pier. I am informed that he carted earth from this street, to fill in on some other place where he had a contract. The city will have to raise the grade of this street, where he has taken the earth from. I find that Boltes Moore has drawn \$1,866 50, from the Comptroller, on this work. I cannot allow this bill . . . . .	231 00
Carried forward . . . . .	\$557 50

Brought forward.....	\$557 50
Bill of Washington Chalmers. I find that this same Chalmers was paid by the Comptroller, May 4th, 1858, per W. Goodheart; pay roll for horse and cart. I would not pay this bill until he proves that he had two horses and carts employed during the time specified in his bill. The bill amounts to .....	252 00
Bill of James L. Van Wart. From inspection and inquiries, I find that this work was not done. I cannot allow this bill.....	150 00
Bill of A. J. Hopper, for graveling road, from foot of One hundred and twenty-fifth street. This bill is certified by W. Goodheart and D. D. Conover. You will see by the above report on the bill of Boltes Moore, that he was the person that Mr. Goodheart should have made fill in this road. The above bill of Boltes Moore is dated July 1st, 1858, and this bill of Hopper, July 27, 1858. From enquiries, I do not find that A. J. Hopper did any work here. I beg respectfully to reject both these bills.....	235 00
The bill of A. J. Hopper, for windlass. I can get no information. It is approved by Wm. Goodheart.....	5 50
	<u>\$1,200 00</u>

	Amount charged.	Amount allowed
Bill of William Bose. I find that this work was done, the charge is too high. I have estimated on this work and make the following award.....	\$219 00	\$109 50
Bill of W. H. Tone. I have examined and inspected this work, and find that it was done; the charge is too high. I have allowed as follows.....	150 00	100 00
Bill of Thomas Tone, for flagging stone delivered at Manhattanville. I find that this flagging was nothing but common quarry stone. I have allowed the number of feet charged in his bill, but have put down the price from eleven cents per foot to four cents, as I find that I can buy the same stone at that price.....	237 82	86 48
Bill of Edward Genet, for rent of office for Wm. Goodheart. I find that this bill is correct, as to the office having been rented by Wm. Goodheart.....	187 50	187 50
	<u>\$794 32</u>	<u>\$483 48</u>



I have to report on the following bills for stone and gravel delivered on the roads, and work done with teams, horses and carts; also, blacksmiths' bills, and bills for labor, &c. It is impossible for me to make a satisfactory report on these bills. The work, if done, was done more than a year ago. I can not get any more information than the certificate of the late Superintendents of Roads. I find that the Comptroller has paid, up to the 26th of May, 1858, \$33,588 47, (see document No. 12,) for labor and materials furnished on the roads.

Bills approved by Samuel C. Foster, Superintendent of Roads, under C. Devlin, Street Commissioner:

Michael Kane, broken stone.....	19 00
William Barry, do.....	450 00
Patrick Turly, blacksmith, four bills.....	36 75
John Bayless, blacksmith.....	152 88
John McIntire, five bills, gravel and stone.	597 00
Peter Tenard, gravel and stone.....	40 50
John Donevan, do.....	228 00
William Conly, do.....	82 00
Dunn & Henderson, C. Devlin's signature to this bill.....	15 11
John Callaghan, broken stone, five bills....	733 62
Michael A. Mulligan, broken stone.....	92 00
Bills approved by William Goodheart:	
Henry Tone, stone and earth to fill in One hundred and fifty-eighth street.....	80 87
Carried forward.....	\$2,527 73

Brought forward.....	\$2,527 73
Henry Tone, as foreman, sixty-one days on One hundred and fifty-eighth street .....	122 00
Henry Tone, laborers on One hundred and fifty-eighth street, 100½ days .....	125 63
Henry Tone, regulating and filling in on One hundred and fifty-eighth street; horses and carts, teams, &c.....	245 75
John Gilleland, work on Kings bridge, &c.	208 15
Belarius Moore, work on Kings bridge road.	36 00
James Van Wart, repairing Eighty-sixth st.	200 00
Mark McGuire, use of roller ... ..	80 00
Terrence Morgan, two bills, blacksmith....	38 23
B. Dubois, blacksmith.....	27 75
John Barry, wages as foreman.....	4 00
Daniel McCarty, wages as laborer.....	3 00
Thomas Humphries, do.....	3 00
Peter O'Brien, do.....	3 00
James Crouly, horse and cart .....	6 00
Isaac Dickenson, labor .....	11 25
Peter Vandervoort, do.....	48 75
A. Ward, shovels and rakes, &c.....	17 28
Thomas Ward, labor.....	4 50
Patrick McKean, horse and cart.....	249 00
Patrick Murphy, do.....	249 00
James Fagan, do.....	249 00
Daniel Cross, do.....	249 00
Thomas Mullery, do.....	249 00
Thomas Rooney, do.....	291 00
Thomas Terrell, do., two bills.....	504 00
Philip Stokes, do.....	249 00
Carried forward.....	\$6,001 02

Brought forward.....	\$6,001 02
Cornelius Corson, do.....	207 00
Michael Walch, do.....	249 00
Patrick McGrew.....	249 00
Thomas Learry.....	252 00
John Fitzgerald .....	252 00
Christopher Murphy .....	249 00
William Conners .....	291 00
Patrick Dally, gravel on Third avenue .....	226 00
John Slavin, work done on road, with team..	405 00
Thomas Bennett, do.....	373 50
Martin Shelly, do.....	373 50
John Grady, do.....	373 50
Daniel Chalmers, do .....	378 00
Patrick Neuman, do .....	373 50
Michael Coogan, do.....	378 00
Martin Renney, do .....	373 50
Michael Dunn, do.....	378 00
Frank McGowan, do.....	378 00
Martin McGuire, do .....	378 00
Henry Noughton, do.....	378 00
William Creighton, do.....	378 00
Edward Reilley, do.....	378 00
Cornelius McGuire, do.....	405 00
Dennis Murphy, do .....	373 50
Michael Flinn, do .....	378 00
John Tuttle, do .....	378 00
Thomas Tone, do.....	15 88
Edward Hart, broken stone.....	243 00
John Briggs, do .....	100 00
Terence McGuire, do, two bills .....	412 50
P. B. Taupelle, do .....	247 00
Carried forward.....	\$15,827 40



Brought forward.....	\$15,827 40
Wm. McDewitt, do .....	234 00
John G. Rickney, earth.....	43 62
Thomas Farrell, bill of sand.....	216 50
G. C. Harsen, bills of sand, broken stone, &c.	220 00
Do. do, .....	196 50
Do. broken stone.....	210 50
Do. do. ....	231 00
Do. sand .....	206 00
Do. broken stone.....	201 00
Do. do. ....	216 50
James Hayden, do.....	219 00
	<hr/>
	\$18,020 02

Bills not approved by either of the Superintendents of Roads, but sworn to:

Phillips McAuliff, broken stone .....	60 00
Timothy Mahoney, do, two bills.....	202 00
William Barry, two bills, not approved; he has also two bills for the same work approved by Samuel C. Foster. I would not pay these bills .....	457 00
J. H. Austin, bill, stone .....	77 62
Patrick Quinn, do .....	669 00
Isaac W. Potter, do.....	48 75
C. C. Ellis, do .....	46 50
Thomas Foley, stone and gravel.....	427 00
James Martin, do.....	422 50
Wm. Dean, do .....	190 00
Terence McGuire, do.....	947 00
Henry Hawkins, stone and gravel .....	150 00
	<hr/>
Carried forward.....	\$21,717 39

Brought forward.....	\$21,717 39
George Merritt, do .....	186 00
Peter Masterson, do.....	43 50
William Fohey, do .....	111 00
Michael Barry, do .....	126 00
Timothy Kenely, do, two bills .....	136 00
Bartlett Smith, do .....	690 75
Michael Gram, blacksmith.....	10 35
Patrick Gerety, do .....	18 00
John Masterson, stone and gravel.....	1,898 50
	<hr/>
	\$24,937 49
Bills not allowed .....	1,200 00
Bills not allowed in full .....	794 32
	<hr/>
	\$26,931 81
Add bills paid by the Comptroller....	33,588 47
	<hr/>
	<u>\$60,520 28</u>

In closing this imperfect report on the road bills, I must say, that I do not believe that more than one-half of this work was done.

Your obedient servant,

JOHN B. COZZENS.

